

Form 1. Notice of Appeal to the Supreme Court From a Judgment or Order of District Court

No. **D-15-523582-D**

Dept. No. **X**

IN THE **8th** JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA IN AND FOR
THE COUNTY OF **CLARK**

Electronically Filed
Aug 04 2021 08:27 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

A. B., Plaintiff }
v. }
C. D., Defendant }

NOTICE OF APPEAL

Notice is hereby given that C. D., defendant above named, hereby appeals to the Supreme Court of Nevada (from the final judgment) (from the order entered in this action

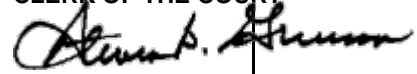
HEARD BY:
Almase, Heidi
Department X

ON THE 29TH DAY OF JULY 2021

Wilbert R Holmes pro se

/s/ *Wilbert R Holmes*
Attorney for C.D.

Address
3980 S NELLIS BLVD
LAS VEGAS NV 89183



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6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
7 **STATE OF NEVADA IN AND FOR**
8 **THE COUNTY OF CLARK**
9

10 CAPUCINE YOLANDA HOLMES,

11 Plaintiff(s)

12 vs.

13 WILBERT ROY HOLMES,

14 Defendant(s),
15

Case No: D-15-523582-D

Dept No: X

16
17 **CASE APPEAL STATEMENT**
18

19 1. Appellant(s): Wilbert R. Holmes

20 2. Judge: Heidi Almase

21 3. Appellant(s): Wilbert R. Holmes

22 Counsel:

23 Wilbert R. Holmes
24 3980 S. Nellis Blvd.
Las Vegas, NV 89183

25 4. Respondent (s): Capucine Yolanda Holmes

26 Counsel:

27 James A. Fontano, Esq.
28 5135 Camino Al Norte, Ste 273
North Las Vegas, NV 89031

1 5. Appellant(s)'s Attorney Licensed in Nevada: N/A
2 Permission Granted: N/A

3 Respondent(s)'s Attorney Licensed in Nevada: Yes
4 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. Appellant Granted Leave to Proceed in Forma Pauperis: Yes, March 13, 2020
8 Expired

9 Appellant Filed Application to Proceed in Forma Pauperis: No
10 Date Application(s) filed: N/A

11 9. Date Commenced in District Court: November 5, 2015

12 10. Brief Description of the Nature of the Action: DOMESTIC - Marriage Dissolution

13 Type of Judgment or Order Being Appealed: Misc. Order

14 11. Previous Appeal: Yes

15 Supreme Court Docket Number(s): 73291, 76206, 79976, 80465, 80565, 80641, 80923,
16 83229

17 12. Case involves Child Custody and/or Visitation: N/A
18 Appeal involves Child Custody and/or Visitation: N/A

19 13. Possibility of Settlement: Unknown

20 Dated This 2 day of August 2021.

21 Steven D. Grierson, Clerk of the Court

22 /s/ Amanda Hampton

23 Amanda Hampton, Deputy Clerk
24 200 Lewis Ave
25 PO Box 551601
26 Las Vegas, Nevada 89155-1601
27 (702) 671-0512

28 cc: Wilbert R. Holmes

CASE SUMMARY**CASE NO. D-15-523582-D**

Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

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 §
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Location: **Department X**
 Judicial Officer: **Almase, Heidi**
 Filed on: **11/05/2015**
 Case Number History:

CASE INFORMATION**Related Cases**

D-08-399088-D (1J1F Related - Rule 5.42)

Case Type: **Divorce - Complaint**
 Subtype: **Complaint No Minor(s)**

Statistical Closures

02/05/2020 Settled/Withdrawn With Judicial Conference or Hearing
 02/05/2020 Settled/Withdrawn With Judicial Conference or Hearing
 10/29/2019 Settled/Withdrawn With Judicial Conference or Hearing
 09/17/2019 Settled/Withdrawn Without Judicial Conference or Hearing
 10/30/2018 Settled/Withdrawn Without Judicial Conference or Hearing
 01/30/2018 Settled/Withdrawn Without Judicial Conference or Hearing
 06/01/2017 Settled/Withdrawn With Judicial Conference or Hearing

Case Status: **03/09/2021 Reopened**

DATE**CASE ASSIGNMENT****Current Case Assignment**

Case Number D-15-523582-D
 Court Department X
 Date Assigned 04/29/2021
 Judicial Officer Almase, Heidi

PARTY INFORMATION**Plaintiff****Holmes, Capucine Yolanda**

Fontano, James A.
Retained
 702-329-9901(W)

Defendant**Holmes, Wilbert Roy**

Pro Se
 702-281-5752(H)

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

08/02/2021



Case Appeal Statement

Filed By: Defendant Holmes, Wilbert Roy

Case Appeal Statement

08/01/2021



Notice of Appeal

Filed By: Defendant Holmes, Wilbert Roy

Notice of Appeal

07/22/2021



Notice of Rescheduling of Hearing

Notice of Rescheduling of Hearing

07/20/2021



Reply

*REPLY IN SUPPORT OF MOTION FOR SANCTIONS AND REQUEST FOR ACCESS TO
 PROPERTY FOR PICTURES AND VIDEO*

07/14/2021



Case Appeal Statement

Filed By: Defendant Holmes, Wilbert Roy

Case Appeal Statement



















07/14/2021



Case Appeal Statement

CASE SUMMARY

CASE NO. D-15-523582-D

	Filed By: Defendant Holmes, Wilbert Roy <i>Case Appeal Statement</i>
06/16/2021	 Notice of Hearing <i>Notice of Hearing</i>
06/14/2021	 Notice of Appeal
06/14/2021	 Notice of Entry <i>Notice of Entry of Order from June 9, 2021 Chambers Review</i>
06/10/2021	 Notice of Appeal Filed By: Defendant Holmes, Wilbert Roy <i>Notice of Appeal</i>
06/10/2021	 Order <i>Order from June 9, 2021 Chambers Review</i>
06/10/2021	 Order <i>Order from June 9, 2021 Chambers Review</i>
06/10/2021	 Notice of Hearing <i>Notice of Hearing</i>
06/04/2021	 Notice of Hearing <i>Notice of hearing</i>
06/02/2021	 Certificate of Service <i>Certificate of Service re Motion for Sanctions Pursuant to Rule 11</i>
06/02/2021	 Supplement <i>Supplement to Motion for Sanctions Pursuant to Rule 11</i>
06/02/2021	 Motion <i>Motion for Sanctions Pursuant to Rule 11</i>
05/24/2021	 Motion Filed By: Defendant Holmes, Wilbert Roy <i>MOTION TO REVERSE/DROP WITHDRAWAL OF MOTION FOR REQUEST FOR ORDER TO REVISE PROERTY SETTLEMENT</i>
05/24/2021	 Motion Filed By: Defendant Holmes, Wilbert Roy <i>MOTION for Request for Order to Revise Property Settlement</i>
04/29/2021	 Notice of Department Reassignment <i>Notice of Department Reassignment</i>
04/16/2021	 Reply to Opposition Filed by: Attorney Blanchard, Brent A.; Intervenor Panfil, Kimberly <i>REPLY MEMORANDUM IN SUPPORT OF MOTION TO INTERVENE</i>
04/10/2021	 Opposition to Motion Filed by: Attorney Fontano, James A.; Plaintiff Holmes, Capucine Yolanda <i>Plaintiff's Opposition to Motion to Intervene</i>
04/01/2021	 Notice of Hearing <i>Notice of Hearing</i>
03/29/2021	 Motion Filed By: Defendant Holmes, Wilbert Roy <i>DEFENDANT'S MOTION TO WITHDRAW: MOTION FOR REQUEST FOR ORDER TO REVISE PROPERTY SETTELMENT</i>
03/24/2021	 Certificate of Service

















CASE SUMMARY

CASE NO. D-15-523582-D

	Filed by: Intervenor Panfil, Kimberly <i>Certificate of Electronic Service</i>
03/23/2021	 Opposition Filed By: Attorney Fontano, James A.; Plaintiff Holmes, Capucine Yolanda <i>Plaintiff's Opposition to Motion for Request for Order to Revise Property Settlement</i>
03/18/2021	 Notice of Hearing <i>Notice of Hearing</i>
03/17/2021	 Clerk's Notice of Nonconforming Document <i>Clerks Notice of Nonconforming Document</i>
03/12/2021	 Addendum Filed By: Defendant Holmes, Wilbert Roy <i>ADDENDUM A1 IN SUPPORT OF MOTION FILED</i>
03/12/2021	 Motion to Intervene Filed by: Attorney Blanchard, Brent A.; Intervenor Panfil, Kimberly <i>Motion to Intervene with Exparte Motion for Order Shortening Time</i>
03/11/2021	 Clerk's Notice of Nonconforming Document <i>Clerk's Notice of Nonconforming Document</i>
03/11/2021	 Notice of Hearing <i>Notice of Hearing</i>
03/10/2021	 Clerk's Notice of Nonconforming Document <i>Clerk's Notice of Nonconforming Document</i>
03/09/2021	 Motion Filed By: Defendant Holmes, Wilbert Roy <i>Defendant's Motion Request for Order to Revise Property Settlement</i>
03/05/2021	 Exhibits <i>Exhibit E</i>
03/05/2021	 Exhibits <i>Exhibit D-Escrow Receipt</i>
03/05/2021	 Exhibits <i>Exhibit C-Signed Counteroffer</i>
03/05/2021	 Exhibits <i>Exhibit B-Settlement Statement</i>
03/05/2021	 Exhibits <i>Exhibit A-MLS Listing</i>
03/05/2021	 Motion <i>Motion to Approve Sale of Marital Property**No Designation filed by Kimberly Panfi</i>
03/05/2021	 Declaration <i>Declaration and [Proposed] Order Shortening Time</i>
03/05/2021	 Motion to Intervene <i>Motion to Intervene**No Designation filed by Kimberly Panfil</i>
03/05/2021	 Appearance <i>Notice of Entry of Appearance</i>
01/04/2021	Administrative Reassignment - Judicial Officer Change <i>Judicial Reassignment to Judge Dee Smart Butler</i>
05/13/2020	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i>





CASE SUMMARY

CASE NO. D-15-523582-D

04/22/2020	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i>
03/30/2020	 Case Appeal Statement Filed By: Defendant Holmes, Wilbert Roy <i>Case Appeal Statement</i>
03/26/2020	 Notice of Appeal Filed By: Defendant Holmes, Wilbert Roy <i>DIV APPEAL 03/18/2020 Order Denying Motion for Rehearing</i>
03/26/2020	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i>
03/19/2020	 Notice of Entry of Order <i>NOTICE OF ENTRY OF ORDER</i>
03/18/2020	 Order Denying Filed by: Plaintiff Holmes, Capucine Yolanda <i>Order Denying Motion for Rehearing</i>
03/13/2020	 Order to Proceed In Forma Pauperis Filed By: Defendant Holmes, Wilbert Roy <i>Order to Proceed In Forma Pauperis</i>
03/05/2020	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i>
02/20/2020	 Case Appeal Statement Filed By: Defendant Holmes, Wilbert Roy <i>Case Appeal Statement</i>
02/18/2020	 Notice of Appeal Filed By: Defendant Holmes, Wilbert Roy <i>VALID APPEAL OF 12 16 2019 COURT ORDER</i>
02/14/2020	 Addendum Filed By: Defendant Holmes, Wilbert Roy <i>DIVORCE CASE PERTINENT INFORMATION</i>
02/07/2020	 Application to Proceed in Forma Pauperis Filed By: Defendant Holmes, Wilbert Roy <i>DIVORCE Application to Proceed in Forma Pauperis - PIFP (FAM)</i>
02/07/2020	 Case Appeal Statement Filed By: Defendant Holmes, Wilbert Roy <i>Case Appeal Statement</i>
02/07/2020	 Notice of Entry of Order Filed By: Plaintiff Holmes, Capucine Yolanda <i>Notice of Entry of Order</i>
02/05/2020	 Notice of Appeal Filed By: Defendant Holmes, Wilbert Roy <i>Notice of Appeal</i>
02/04/2020	 Order <i>Order Granting Motion for Order to Show Cause why Defendant Should not be Held in Contempt, to Compel Compliance with Decree of Divorce, and for Award of Attorney's Fees and Costs</i>
01/21/2020	 Case Appeal Statement Filed By: Defendant Holmes, Wilbert Roy <i>Case Appeal Statement</i>

CASE SUMMARY

CASE NO. D-15-523582-D

01/16/2020	 Notice of Appeal Filed By: Defendant Holmes, Wilbert Roy <i>Notice Of Appeal Divorce 2nd Submittal</i>
01/09/2020	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i>
12/19/2019	 Opposition Filed By: Defendant Holmes, Wilbert Roy <i>OPPOSITION TO DIVORCE MOTION</i>
12/13/2019	 Ex Parte Motion Filed by: Defendant Holmes, Wilbert Roy <i>Ex Parte Motion for Continuance</i>
12/12/2019	 Order <i>Order Awarding Attorney's Fees</i>
12/10/2019	 Certificate of Service <i>Certificate of Service</i>
12/03/2019	 Order to Show Cause Filed By: Plaintiff Holmes, Capucine Yolanda <i>Order to Show Cause</i>
11/13/2019	 Objection Filed By: Defendant Holmes, Wilbert Roy <i>CORRECTION TO PREVI SUMMITTED FILING OBJECTION TO FONTANO FILINGS</i>
11/12/2019	 Objection Filed By: Defendant Holmes, Wilbert Roy <i>OBJECTION TO FORTANO SHOW CASE FILING ETC</i>
11/12/2019	 Notice of Hearing <i>Notice of Haring</i>
11/08/2019	 Ex Parte Application Filed by: Plaintiff Holmes, Capucine Yolanda <i>EX PARTE APPLICATION FOR ORDER TO SHOW CAUSE</i>
11/08/2019	 Exhibits Filed By: Plaintiff Holmes, Capucine Yolanda <i>EXHIBIT APPENDIX</i>
11/08/2019	 Motion for Order to Show Cause Filed By: Plaintiff Holmes, Capucine Yolanda <i>MOTION FOR ORDER TO SHOW CAUSE WHY DEFENDANT SHOULD NOT BE FOUND IN CONTEMPT, TO COMPEL COMPLIANCE WITH DECREE OF DIVORCE, AND FOR AWARD OF ATTORNEY S FEES AND COSTS</i>
11/08/2019	 Memorandum Filed By: Plaintiff Holmes, Capucine Yolanda <i>Memorandum of Fees and Costs</i>
11/04/2019	 Case Appeal Statement Filed By: Defendant Holmes, Wilbert Roy <i>Case Appeal Statement</i>
10/30/2019	 Notice of Appeal Filed By: Defendant Holmes, Wilbert Roy <i>DIV REHEARING NOTICE OF APPEAL</i>
10/28/2019	 Request Filed By: Defendant Holmes, Wilbert Roy

CASE SUMMARY

CASE NO. D-15-523582-D

UPDATED REQUEST FOR TELEPHONIC HEARING

10/28/2019	 Request Filed By: Defendant Holmes, Wilbert Roy <i>REQUEST FOR TELEPHONIC HEARING</i>
10/21/2019	 Opposition Filed By: Plaintiff Holmes, Capucine Yolanda <i>Opposition to Motion for Rehearing</i>
09/26/2019	 Notice of Hearing <i>Notice of Hearing</i>
09/25/2019	 Re-Notice of Motion Filed by: Defendant Holmes, Wilbert Roy <i>Re-Notice of Motion DIVORCE</i>
08/20/2019	 Notice of Hearing <i>Notice of Hearing</i>
08/20/2019	 Notice of Hearing <i>Notice of Hearing</i>
08/20/2019	 Amended Motion Filed by: Defendant Holmes, Wilbert Roy <i>AMENDED TO CORRECT MOT FOR DIV REHRG</i>
08/19/2019	 Motion Filed By: Defendant Holmes, Wilbert Roy <i>Motion for Rehearing</i>
08/19/2019	 Notice of Entry <i>Notice of Entry of Order Quashing Subpoena</i>
08/19/2019	 Notice of Entry <i>Notice of Entry of Order Quashing Subpoena</i>
08/16/2019	 Order <i>Order Quashing Subpoena</i>
08/16/2019	 Order <i>Order Quashing Subpoena</i>
08/02/2019	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed; Review Denied</i>
09/04/2018	 Subpoena Duces Tecum Filed by: Defendant Holmes, Wilbert Roy <i>BANK OF AMERICA CY Subpeona Duces Tecum</i>
08/31/2018	 Subpoena Duces Tecum Filed by: Defendant Holmes, Wilbert Roy <i>Subpeona Duces Tecum</i>
08/13/2018	 Certificate of Mailing <i>Certificate of Mailing</i>
08/13/2018	 Affidavit <i>Affidavit of the Honorable Rena G. Hughes in Response to "Defendant's Motion to Disqualify"</i> <i>Filed in Case D-15-523582-D</i>
08/13/2018	 Addendum Filed By: Defendant Holmes, Wilbert Roy <i>ADDENDUM 5 FOR DIV APPEAL CASE NO 76206</i>

CASE SUMMARY

CASE NO. D-15-523582-D

08/07/2018	 Request Transcript of Proceedings Party: Defendant Holmes, Wilbert Roy <i>Request Transcript of Proceedings</i>
07/26/2018	 Receipt of Copy Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy <i>Receipt of Copy</i>
07/17/2018	 Motion to Disqualify Judge Filed by: Defendant Holmes, Wilbert Roy <i>Motion to Disqualify</i>
07/16/2018	 Addendum Filed By: Defendant Holmes, Wilbert Roy <i>Addendum (4) Divorce</i>
07/09/2018	 Request Transcript of Proceedings
06/30/2018	 Addendum Filed By: Defendant Holmes, Wilbert Roy <i>Addendum (3) Divorce</i>
06/21/2018	 Case Appeal Statement
06/20/2018	 Notice of Appeal Filed By: Defendant Holmes, Wilbert Roy
06/18/2018	 Motion to Disqualify Judge Filed by: Defendant Holmes, Wilbert Roy <i>Motion to Disqualify</i>
06/14/2018	 Notice of Entry of Order <i>Notice of Entry of Order Upon Remand Clarifying Decree of Divorce</i>
06/14/2018	 Order to Proceed In Forma Pauperis Filed By: Defendant Holmes, Wilbert Roy <i>Order to Proceed In Forma Pauperis (Sealed)</i>
06/12/2018	 Order <i>Order Upon Remand Clarifying Decree of Divorce</i>
05/31/2018	 NV Supreme Court Clerks Certificate/Judgment - Affd/Rev Part <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed in Part, Reversed in Part and Remand</i>
05/17/2018	 Addendum Filed By: Defendant Holmes, Wilbert Roy <i>Addendum (1) Divorce</i>
05/17/2018	 Application to Proceed in Forma Pauperis Filed By: Defendant Holmes, Wilbert Roy <i>Application to Proceed in Forma Pauperis (Sealed)</i>
01/30/2018	 Domestic Notice to Statistically Close Case
11/08/2017	 Order Denying <i>Order Denying Motion to Disqualify</i>
11/03/2017	 Certificate of Mailing
11/03/2017	 Affidavit <i>Affidavit of the Honorable Rena G. Hughes in Response to "Motion to Disqualify Judge" Filed in Case D-15-523582-D</i>

CASE SUMMARY

CASE NO. D-15-523582-D

10/20/2017	 Notice of Entry of Order Filed By: Plaintiff Holmes, Capucine Yolanda <i>Notice of Entry of Order Shortening Time</i>
10/20/2017	 Notice of Entry of Order Filed By: Plaintiff Holmes, Capucine Yolanda <i>Notice of Entry of Order to Show Cause</i>
10/20/2017	 Order Shortening Time Filed By: Plaintiff Holmes, Capucine Yolanda
10/20/2017	 Order to Show Cause Filed By: Plaintiff Holmes, Capucine Yolanda
10/12/2017	 Ex Parte Motion Filed by: Plaintiff Holmes, Capucine Yolanda <i>Ex Parte Motion for Order Shortening Time</i>
10/11/2017	 Exhibits Filed By: Plaintiff Holmes, Capucine Yolanda <i>Exhibit Appendix</i>
10/11/2017	 Ex Parte Application for Order <i>Ex Parte Application for Order to Show Cause</i>
10/11/2017	 Motion for Order to Show Cause Filed By: Plaintiff Holmes, Capucine Yolanda <i>Motion for Order to Show Cause Why Defendant Should Not Be Found in Contempt, to Compel Compliance with Decree of Divorce, and for Award of Attorney's Fees and Costs</i>
10/11/2017	 Notice of Appearance Party: Plaintiff Holmes, Capucine Yolanda
10/06/2017	 Ex Parte Motion Filed by: Defendant Holmes, Wilbert Roy <i>Ex Parte Motion for Motion to Stay</i>
10/05/2017	 Ex Parte Motion Filed by: Defendant Holmes, Wilbert Roy <i>Ex Parte Motion for an Order Shortening Time</i>
09/25/2017	 Amended Motion Filed by: Defendant Holmes, Wilbert Roy <i>Amended Motion and Notice of Motion for Orders to Set Aside Order, Judgment, and/or Default</i>
09/25/2017	 Notice of Motion Filed By: Defendant Holmes, Wilbert Roy
09/25/2017	 Motion Filed By: Defendant Holmes, Wilbert Roy Party 2: Plaintiff Holmes, Capucine Yolanda <i>Motion and Notice of Motion for Orders to Set Aside Order, Judgment, and/or Default</i>
09/19/2017	 Motion to Disqualify Judge Filed by: Defendant Holmes, Wilbert Roy <i>Defendant Wilbert Holmes Memorandum of Law in Support of Motion to Disqualify Judge Rena G. Hughes Under 28U.S.C. 144</i>
07/18/2017	 Motion to Stay Filed by: Defendant Holmes, Wilbert Roy
06/14/2017	 Case Appeal Statement Filed By: Defendant Holmes, Wilbert Roy


















CASE SUMMARY

CASE NO. D-15-523582-D

06/09/2017	 Withdrawal of Attorney Filed By: Plaintiff Holmes, Capucine Yolanda
06/09/2017	 Notice of Entry of Order Filed By: Plaintiff Holmes, Capucine Yolanda
06/08/2017	 Notice of Appeal Filed By: Defendant Holmes, Wilbert Roy
06/01/2017	 Notice of Entry of Decree <i>Notice of Entry of Decree of Divorce</i>
06/01/2017	 Decree of Divorce Filed by: Defendant Holmes, Wilbert Roy; Plaintiff Holmes, Capucine Yolanda
04/06/2017	 Order Filed By: Plaintiff Holmes, Capucine Yolanda <i>Order from Hearing 4-05-17</i>
04/06/2017	 Miscellaneous Filing <i>Closing Instructions</i>
02/21/2017	 Statement Filed By: Defendant Holmes, Wilbert Roy <i>Buyer Settlement Statement</i>
02/18/2017	 Notice of Rescheduling of Hearing
02/16/2017	 Statement Filed By: Defendant Holmes, Wilbert Roy <i>Buyer Settlement Statement</i>
02/16/2017	 Document Filed Filed by: Plaintiff Holmes, Capucine Yolanda <i>Document of Property Settlement Statement Purchase Sheet</i>
02/14/2017	 Ex Parte Motion Filed by: Defendant Holmes, Wilbert Roy <i>Ex Parte Motion for an Order Shortening Time</i>
02/14/2017	 Affidavit of Service Filed By: Defendant Holmes, Wilbert Roy Party 2: Plaintiff Holmes, Capucine Yolanda
02/10/2017	 Miscellaneous Filing <i>Property Detail Required</i>
02/09/2017	 Notice of Change of Hearing <i>Clerk of the Court's Notice of Change of Hearing</i>
02/05/2017	 Motion to Enforce Filed by: Defendant Holmes, Wilbert Roy <i>Motion and Notice of Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt</i>
02/01/2017	 Request Filed By: Defendant Holmes, Wilbert Roy <i>Divorce Status and Finalization Request</i>
01/24/2017	 Affidavit of Service Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy
01/20/2017	 Subpoena Duces Tecum Filed by: Plaintiff Holmes, Capucine Yolanda

CASE SUMMARY














CASE NO. D-15-523582-D

01/18/2017	 Certificate of Service Filed by: Plaintiff Holmes, Capucine Yolanda
01/17/2017	 Amended Filed By: Plaintiff Holmes, Capucine Yolanda <i>Amended Pre-Trial Memorandum</i>
01/16/2017	 Pre-trial Memorandum Filed By: Defendant Holmes, Wilbert Roy <i>Pre Trial Memorandum Exhibit A and D Updated</i>
01/10/2017	 Financial Disclosure Form Filed by: Plaintiff Holmes, Capucine Yolanda <i>General Financial Disclosure Form (Sealed)</i>
01/10/2017	 Financial Disclosure Form Filed by: Defendant Holmes, Wilbert Roy <i>General Financial Disclosure Form (Sealed)</i>
01/08/2017	 Pre-trial Memorandum Filed By: Defendant Holmes, Wilbert Roy <i>Pre Trial Memorandum - Updated Fin Disclo Form with Exhibit J (Sealed)</i>
01/05/2017	 Pre-trial Memorandum Filed By: Defendant Holmes, Wilbert Roy <i>Pre Trial Memorandum Computation Schedule A A</i>
01/05/2017	 Certificate of Mailing Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy
01/05/2017	 Amended Filed By: Plaintiff Holmes, Capucine Yolanda <i>Amended Pre-Trial Memorandum</i>
01/04/2017	 Pre-trial Memorandum Filed By: Defendant Holmes, Wilbert Roy <i>Pre Trial Memorandom Exhibit E and F</i>
01/03/2017	 Pre-trial Memorandum Filed By: Defendant Holmes, Wilbert Roy <i>Updated Pre Trial Memorandum</i>
12/31/2016	 Certificate of Mailing Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy
12/22/2016	 Certificate of Mailing Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy
12/22/2016	 Pre-trial Memorandum Filed By: Plaintiff Holmes, Capucine Yolanda
12/20/2016	 Certificate of Mailing Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy
12/19/2016	 Pre-trial Memorandum Filed By: Defendant Holmes, Wilbert Roy <i>Updated Pre Trail Memorandum</i>
12/18/2016	 Exhibits Filed By: Defendant Holmes, Wilbert Roy

CASE SUMMARY

CASE NO. D-15-523582-D

Malicious Prosecution Detail and Exhibits

12/14/2016	 Miscellaneous Filing <i>Updated Witness Letter/Kim Panfield</i>
12/13/2016	 Certificate of Mailing Filed By: Defendant Holmes, Wilbert Roy Party 2: Plaintiff Holmes, Capucine Yolanda
12/12/2016	 Financial Disclosure Form Filed by: Defendant Holmes, Wilbert Roy <i>General Financial Disclosure Form (Sealed)</i>
12/11/2016	 Stricken Document ***PARTIALLY STRICKEN EXHIBITS B AND C PER MINUTE ORDER 12/20/16***
12/11/2016	 Affirmation Filed By: Defendant Holmes, Wilbert Roy <i>Affirmation - Case Conference Report or Pre-Trial Memorandum Pursuant to NRS 239.030</i>
12/11/2016	 Pre-trial Memorandum Filed By: Defendant Holmes, Wilbert Roy ***PARTIALLY STRICKEN PER MINUTE ORDER 12/20/16*** Defendant's Pre-Trial Memorandum
12/07/2016	 Order Shortening Time Filed By: Plaintiff Holmes, Capucine Yolanda
12/01/2016	 Motion to Withdraw As Counsel Filed By: Attorney Kimble-Simms, Marsha <i>Motion to Withdraw as Counsel of Record</i>
11/29/2016	 Notice of Rescheduling of Hearing Filed by: Plaintiff Holmes, Capucine Yolanda
10/26/2016	 Trial Management Order
10/26/2016	 Notice of Rescheduling of Hearing
10/26/2016	 Notice of Hearing
10/19/2016	 Notice of Motion Filed By: Defendant Holmes, Wilbert Roy
10/19/2016	 Ex Parte Motion Filed by: Defendant Holmes, Wilbert Roy <i>Ex Parte Motion for an Order Shortening Time</i>
10/18/2016	 Motion Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy
10/17/2016	 Certificate of Service Filed by: Plaintiff Holmes, Capucine Yolanda
10/17/2016	 Notice Filed By: Plaintiff Holmes, Capucine Yolanda <i>Notice of Taking Evidentiary Hearing Off Calendar</i>
10/11/2016	 Trial Management Order Filed by: Plaintiff Holmes, Capucine Yolanda
10/11/2016	 Application to Proceed in Forma Pauperis Filed By: Defendant Holmes, Wilbert Roy <i>Application to Proceed in Forma Pauperis (Sealed)</i>

CASE SUMMARY

CASE NO. D-15-523582-D

10/10/2016	 Order to Proceed In Forma Pauperis Filed By: Defendant Holmes, Wilbert Roy <i>Order to Proceed in Forma Pauperis (Sealed)</i>
10/06/2016	 Trial Management Order
10/05/2016	 Notice of Rescheduling of Hearing <i>Notice of Rescheduling of Evidentiary Hearing</i>
09/23/2016	 Order Denying Filed by: Plaintiff Holmes, Capucine Yolanda <i>Order Denying Motion to Disqualify</i>
09/02/2016	 Certificate of Service Filed by: Plaintiff Holmes, Capucine Yolanda
08/31/2016	 Subpoena Duces Tecum Filed by: Plaintiff Holmes, Capucine Yolanda
08/31/2016	 Opposition to Motion Filed by: Plaintiff Holmes, Capucine Yolanda <i>Opposition to Motion to Disqualify Judge Rena G. Hughes</i>
08/31/2016	 Certificate of Mailing Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy
08/18/2016	 Notice of Motion Filed By: Defendant Holmes, Wilbert Roy
08/05/2016	 Memorandum Filed By: Defendant Holmes, Wilbert Roy <i>Defendant Wilbert Holmes Memorandum of Law in Support of Motion to Disqualify Judge Rena G. Hughes Under 28U.S.C.144</i>
08/04/2016	 Certificate of Mailing Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy <i>Certificate</i>
08/03/2016	 Proof of Service Filed By: Plaintiff Holmes, Capucine Yolanda Party Served: Defendant Holmes, Wilbert Roy
07/29/2016	 Affidavit of Service Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy
07/26/2016	 Order Shortening Time Filed By: Plaintiff Holmes, Capucine Yolanda
07/25/2016	 Ex Parte Motion Filed by: Plaintiff Holmes, Capucine Yolanda <i>Ex Parte Motion for an Order Shortening Time</i>
07/22/2016	 Motion to Amend Filed by: Plaintiff Holmes, Capucine Yolanda <i>Motion to Amend the Pleadings, for an Order to Enforce and for an Order to Show Cause, and to Set Aside the Premarital Agreement</i>
07/19/2016	 Application to Proceed in Forma Pauperis Filed By: Defendant Holmes, Wilbert Roy <i>Application to Proceed Informa Pauperis (Sealed)</i>
07/18/2016	 Notice of Motion













CASE SUMMARY

CASE NO. D-15-523582-D

	Filed By: Defendant Holmes, Wilbert Roy
07/16/2016	 Motion for Change of Venue Filed By: Defendant Holmes, Wilbert Roy
07/15/2016	 Application to Proceed in Forma Pauperis Filed By: Defendant Holmes, Wilbert Roy <i>Application to Proceed Informa Pauperis (Sealed)</i>
07/12/2016	 Interrogatories Filed By: Plaintiff Holmes, Capucine Yolanda
07/12/2016	 Request Filed By: Plaintiff Holmes, Capucine Yolanda <i>Request for Production of Documents</i>
07/07/2016	 Subpoena Duces Tecum Filed by: Plaintiff Holmes, Capucine Yolanda
06/29/2016	 Ex Parte Motion Filed by: Defendant Holmes, Wilbert Roy <i>Ex Parte Motion for an Order Shortening Time</i>
05/26/2016	 Reply to Counterclaim Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy <i>Reply to Amended Answer and Counterclaim</i>
05/17/2016	 Notice of Entry of Order Filed By: Plaintiff Holmes, Capucine Yolanda
05/16/2016	 Amended Answer Filed by: Defendant Holmes, Wilbert Roy <i>Amended Answer and Counterclaim</i>
05/16/2016	 Order Filed By: Defendant Holmes, Wilbert Roy <i>Order Regarding Hearing of April 6, 2016</i>
05/16/2016	 Notice of Entry of Order Filed By: Defendant Holmes, Wilbert Roy <i>Notice of Entry of Order Re: Motion to Withdraw as Attorney of Record for Defendant</i>
05/16/2016	 Order to Withdraw as Attorney of Record Filed by: Defendant Holmes, Wilbert Roy <i>Order Re: Motion to Withdraw as Attorney of Record for Defendant</i>
04/18/2016	 Certificate of Service Filed by: Defendant Holmes, Wilbert Roy
04/14/2016	 Motion to Withdraw As Counsel Filed By: Defendant Holmes, Wilbert Roy <i>Motion to Withdraw as Attorney of Record for Defendant</i>
04/11/2016	 Trial Management Order Filed by: Plaintiff Holmes, Capucine Yolanda
03/30/2016	 Notice of Rescheduling of Hearing
03/16/2016	 Financial Disclosure Form Filed by: Defendant Holmes, Wilbert Roy <i>General Financial Disclosure Form (Sealed)</i>
02/22/2016	 Notice of Rescheduling of Hearing

CASE SUMMARY


CASE NO. D-15-523582-D

02/18/2016	 Notice Filed By: Defendant Holmes, Wilbert Roy <i>Notice of Unavailability</i>
02/18/2016	 Substitution of Attorney Filed By: Defendant Holmes, Wilbert Roy
02/09/2016	 Notice of Rescheduling of Hearing
02/08/2016	 Subpoena Duces Tecum Filed by: Plaintiff Holmes, Capucine Yolanda <i>Subpoena Duces Tecum for Business Records (No Appearance Required)</i>
02/02/2016	 Notice of Appearance Party: Defendant Holmes, Wilbert Roy <i>Notice of Appearance and Request for Notice</i>
01/05/2016	 Financial Disclosure Form Filed by: Plaintiff Holmes, Capucine Yolanda <i>General Financial Disclosure Form (Sealed)</i>
12/30/2015	 Notice of Case Management Conference <i>Notice of NRCP 16.2 Case Management Conferences</i>
12/23/2015	 Reply to Counterclaim Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy
12/17/2015	 Certificate of Service Filed by: Defendant Holmes, Wilbert Roy
12/07/2015	 Answer and Counterclaim - Divorce, Annulment, Separate Maint Filed by: Defendant Holmes, Wilbert Roy For: Plaintiff Holmes, Capucine Yolanda <i>Answer and Counterclaim for Divorce (No Children)</i>
11/19/2015	 Application to Proceed in Forma Pauperis Filed By: Defendant Holmes, Wilbert Roy <i>Application to Proceed in Forma Pauperis (Sealed)</i>
11/16/2015	 Affidavit of Service Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy
11/05/2015	 Complaint for Divorce <i>Complaint for Divorce (No Children)</i>

DISPOSITIONS

12/13/2019	Judgment (Judicial Officer: Hughes, Rena G.) Judgment (\$1,254.00, In Full , Attorney Fees)
06/01/2017	Judgment (Judicial Officer: Hughes, Rena G.) Judgment (\$100,862.73, In Full , Wilburt Roy Holmes shall pay Capucine Yolanda Holmes for her interest in the marital residence.)

HEARINGS

07/29/2021	 All Pending Motions (10:00 AM) (Judicial Officer: Almase, Heidi) Matter Heard; Journal Entry Details: <i>MOTION: MOTION FOR SANCTIONS PURSUANT TO NRCP 11... MOTION: MOTION TO REVERSE/DROP WITHDRAWAL OF MOTION FOR REQUEST FOR ORDER TO REVERSE PROPERTY SETTLEMENT... MOTION: MOTION FOR REQUEST FOR ORDER TO REVISE</i>
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CASE SUMMARY

CASE NO. D-15-523582-D

PROPERTY SETTLEMENT In the interest of public safety due to the Coronavirus pandemic, Plaintiff's counsel was present via VIDEO CONFERENCE through the BlueJeans application. Plaintiff's appearance was WAIVED and Defendant, Wilbert Holmes, failed to appear. Court reviewed the record and noted the pleadings on file. Upon inquiry of the Court, Mr. Fontano, counsel for Plaintiff, Capucine Holmes, stated Defendant filed a Motion to Withdraw which caused Mr. Fontano not to file his Motion for Sanctions. Mr. Fontano then stated another motion was filed by Defendant reversing his withdrawal of his motion which caused Mr. Fontano to file the Motion for Sanctions. Upon inquiry of the Court, Mr. Fontano requested attorney's fees for his client. The Court referenced the Order from 02/04/2020 which authorized Plaintiff to obtain a key to the parties' property in order to enter the property and list it for sale. Upon inquiry of the Court, Mr. Fontano affirmed this was the Court's order. COURT stated its FINDINGS and ORDERED the following: 1. Plaintiff's Request to Enforce the 02/04/2020 Order is hereby GRANTED. 2. ATTORNEY'S FEES: The Court directed counsel to submit a Brunzell Affidavit and Memorandum of Fees and Costs leaving a blank in the order for the Court to enter an amount. Said amount shall be REDUCED to JUDGMENT collectable by any legal means bearing the legal rate of interest until paid in full. 3. Mr. Fontano shall prepare the order and submit to the Court for signature. CLERK S NOTE: On 07/30/2021 a copy of the Court s Minute Order was provided to Defendant and to Plaintiff s Attorney of record via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (qm);

07/29/2021 **Motion** (10:00 AM) (Judicial Officer: Almase, Heidi)

Motion For Sanctions Pursuant To NRCP 11

Matter Heard; See All Pending Motions 07/29/2021

07/29/2021 **Motion** (10:00 AM) (Judicial Officer: Almase, Heidi)


Motion for Request for Order to Revise Property Settlement

Matter Heard; See All Pending Motions 07/29/2021

07/29/2021 **Motion** (10:00 AM) (Judicial Officer: Almase, Heidi)

Motion to Reverse/Drop Withdrawal of Motion for Request for Order to Reverse Property Settlement

Matter Heard; See All Pending Motions 07/29/2021

07/27/2021  **Minute Order** (2:00 PM) (Judicial Officer: Almase, Heidi)


Minute Order - No Hearing Held;

Journal Entry Details:

MINUTE ORDER - NO HEARING HELD - NO APPEARANCES This matter is scheduled for Chambers review on July 28, 2021 on Defendant Wilbert R. Holmes May 24, 2021 Motion to Reverse/Drop/Withdrawal of Motion for Request for Order to Revise Property Settlement [sic]. This Court exercises authority granted it pursuant to NRCP 1 and EDCR 1.10 which provide district court dockets shall be administered to secure speedy, efficient and inexpensive determinations in every action. On June 9, 2021, this Court filed a written order resolving Defendant s May 24, 2021 Motion to Reverse et al. See Order at p.3, ll.9-11 and p.6, ll.8-11 (filed June 9, 2021). Accordingly, it appears to this Court, the above-listed matter was left on calendar in ERROR. Therefore, the Court ORDERS the July 28, 2021 chambers matter VACATED. CLERK S NOTE: On 07/27/2021 a copy of the Court s Minute Order was provided to Defendant and to Plaintiff s Attorney of record via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (qm);

06/09/2021 **Motion** (3:00 AM) (Judicial Officer: Almase, Heidi)

DEFENDANT'S MOTION TO WITHDRAW: MOTION FOR REQUEST FOR ORDER TO REVISE PROPERTY SETTLEMENT

04/28/2021  **Minute Order** (3:45 PM) (Judicial Officer: Butler, Dee Smart)

Minute Order - No Hearing Held;

Journal Entry Details:

MINUTE ORDER - NO HEARING HELD Case No. D-15-523582-D Capucine Yolanda Holmes, Plaintiff vs. Wilbert Roy Holmes, Defendant Pursuant to NRCP 1 and EDCR 1.10, the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. NCJC 2.11(A)(1) states: (A) A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to the following circumstances: (1) The judge has a personal bias or prejudice concerning a party or a party s lawyer, or personal knowledge of facts that are in dispute in the proceeding. COURT FINDS that Plaintiff Capucine "Cap" Yolanda Holmes is a personal friend and the court desires to continue and maintain the personal friendship. The Honorable Dee Butler has a personal bias concerning Ms. Holmes and would like to see a

CASE SUMMARY

CASE NO. D-15-523582-D

favorable outcome for her. The COURT FINDS that her impartiality might be reasonably questioned due to the personal friendship. NOW THEREFORE, IT IS HEREBY ORDERED that to avoid the appearance of impropriety and implied bias, the Court shall disqualify itself. IT IS FURTHER ORDERED that the Clerk of Court shall randomly reassign the matter to another department. IT IS FURTHER ORDERED that the Court Clerk shall provide a copy of this Minute Order to all parties. CLERK'S NOTE: On 4/28/2021 a copy of the Court's Minute Order was provided to each Attorney or Parties via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (ajr);


04/28/2021 **Hearing** (3:00 AM) (Judicial Officer: Butler, Dee Smart)
REPLY MEMORANDUM IN SUPPORT OF MOTION TO INTERVENE

04/28/2021 **Opposition** (3:00 AM) (Judicial Officer: Butler, Dee Smart)
Plaintiff's Opposition to Motion to Intervene

04/28/2021 **Opposition** (3:00 AM) (Judicial Officer: Butler, Dee Smart)
Plaintiff's Opposition to Motion for Request for Order to Revise Property Settlement

04/28/2021 **Motion** (3:00 AM) (Judicial Officer: Butler, Dee Smart)
Motion to Intervene with Exparte Motion for Order Shortening Time

04/28/2021 **Motion** (3:00 AM) (Judicial Officer: Butler, Dee Smart)
Defendant's Motion Request for Order to Revise Property Settlement

12/16/2019  **All Pending Motions** (2:30 PM) (Judicial Officer: Hughes, Rena G.)

MINUTES


Matter Heard;

Journal Entry Details:

PLTF'S MOTION FOR ORDER TO SHOW CAUSE WHY DEFT SHOULD NOT BE HELD IN CONTEMPT TO COMPEL COMPLIANCE WITH DECREE OF DIVORCE, AND FOR AWARD O ATTY'S FEES AND COSTS...PLTF'S ORDER TO SHOW CAUSE Court addressed, last Friday the department received Defendant's ex parte motion to continue this hearing. Counsel stated Defendant e served him and counsel did see it. Court stated it is not supported, by any medical records that say he could not be present, today. Court reviewed the documents that were filed, with the motion. A proper motion was not filed, or proof that Defendant is in the hospital. Court reviewed page 9, of the divorce decree. COURT FOUND, Defendant should have been present today or filed the proper motion to give the court some basis for the allegations that he has made about being in the hospital. Counsel stated he is seeking an order to be able control the sale of the property. It is counsel's understanding, Defendant has moved out of the house and is renting it as a short term rental through AirBnB. Court reviewed page 9, of the divorce decree, regarding if Defendant failed to pay Plaintiff her equity, in the home. COURT ORDERED: 1. It shall be JUST and REASONABLE to AWARD ATTORNEY'S FEES, for today. Counsel shall FILE a MEMORANDUM of FEES and COSTS, together with the BRUNZELL AFFIDAVIT. 2. Plaintiff's MOTION shall be GRANTED. 3. The PROVISION, in the DIVORCE DECREE, regarding Plaintiff being ENTITLED to ENFORCE the SALE of the PROPERTY, to OBTAIN her EQUITY SHARE (\$100,862.73) in the property and ATTORNEY'S FEES shall be GRANTED. Attorney Fontano to prepare an Order, from today's hearing.;

12/16/2019 **Order to Show Cause** (2:30 PM) (Judicial Officer: Hughes, Rena G.)
Plaintiff's Order to Show Cause
Decision Made;

12/16/2019 **Motion** (2:30 PM) (Judicial Officer: Hughes, Rena G.)
Events: 11/08/2019 Motion for Order to Show Cause
Plaintiff's Motion for Order to Show Cause why Defendant Should not be Held in Contempt. to Compel Compliance with Decree of Divorce, and for Award of Attorney's Fees and Costs
Granted;

10/29/2019  **All Pending Motions** (1:30 PM) (Judicial Officer: Hughes, Rena G.)

MINUTES

Matter Heard;




Journal Entry Details:

OPPOSITION TO MOTION FOR REHEARING...DEFT'S RE NOTICE OF MOTION FOR REHEARING Defendant appeared TELEPHONICALLY. Court inquired if the request for a rehearing is for the final decree, which Defendant said yes. Defendant stated there was an item that has not been recognized, on his behalf, in the divorce. Court discussed, the matter was

CASE SUMMARY

CASE NO. D-15-523582-D

taken up to the Court of Appeals and is on appeal; therefore, this Court no longer has jurisdiction. Defendant stated he was informed the matter was sent back to District Court, to make a decision. Court reviewed the case file. Further, addressed the matter was appealed and has been confirmed. Defendant discussed Plaintiff signed off on a quick claim deed and signed off on any property rights. Defendant does not understand how Plaintiff can be awarded any equity in the property, when she has no rights to it. Plaintiff had to sign off before the house could be put under the Senior Citizen Home Equity Program. Defendant stated his argument is Plaintiff signed legal documents that Plaintiff does not have any equity then, or in the future, on that property. Court addressed, it was recognized Defendant was the only title holder, at the time of trial and the Court heard evidence and testimony. Further, Plaintiff signed the quick claim deed because it was necessary for Defendant to be able to refinance the residence and get equity out of the property. Court reviewed the trial notes. COURT FOUND, the motion is legally deficient, has no legal or factual basis, it has been appealed and affirmed, by the Supreme Court. COURT ORDERED: 1. As Defendant's MOTION is LEGALLY DEFICIENT the MOTION shall be DENIED. 2. Attorney Fontano shall FILE a MEMORANDUM of FEES and COSTS, for THIS HEARING, which INCLUDES the BRUNZELL FACTORS, within the next 10 days. Upon RECEIPT, Defendant shall have 10 days to FILE a RESPONSE. COURTESY COPIES shall be PROVIDED, to the DEPARTMENT. Attorney Fontano to prepare an Order, from today's hearing. CASE CLOSED. Clerk's note, as Defendant was being disruptive and over talking the Court, the Court lowered the volume of Defendant speaking, so the Court could make findings and the order, without interruptions.;



- 10/29/2019 **Opposition** (1:30 PM) (Judicial Officer: Hughes, Rena G.)
Events: 10/21/2019 Opposition
Opposition to Motion for Rehearing.....Wilbert Homes to appear by phone his number is 702.281.5752.
Decision Made;
- 10/29/2019 **Motion** (1:30 PM) (Judicial Officer: Hughes, Rena G.)
Events: 09/25/2019 Re-Notice of Motion
Defendant's Re-Notice of Motion Motion for Rehearing
Denied;
- 09/24/2019 **CANCELED Motion** (10:00 AM) (Judicial Officer: Hughes, Rena G.)
Vacated
Defendant's Motion for Rehearing
- 09/24/2019 **CANCELED Motion** (10:00 AM) (Judicial Officer: Hughes, Rena G.)
Vacated
Motion for Rehearing
- 09/17/2019  **Minute Order** (4:00 PM) (Judicial Officer: Hughes, Rena G.)
Minute Order - No Hearing Held;
Journal Entry Details:
Minute Order D-15-523582-D Holmes v Holmes NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.501(b), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed. This Court has read and considered the current underlying pleadings in this matter. On August 19, 2019 Defendant filed a Motion for Rehearing. On August 20, 2019 Defendant filed an Amended Motion for Rehearing. Defendant filed a Certificate of Service indicating he had the Motions electronically served on August 16, 2019. As Defendant's Motions were not e-filed until August 20, 2019, Defendant's claimed date of service is deficient. Therefore the Motion hearing scheduled for September 24, 2019 is hereby vacated. Defendant may re-notice his Motion through the Clerk's Office to set this matter back on calendar. Case closed. Clerk's note, a copy, of today's minute order was mailed, to Defendant and counsel, at the addresses, on file.;
- 06/29/2018  **Motion to Disqualify Judge** (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
Events: 06/18/2018 Motion to Disqualify Judge
Defendant's Motion to Disqualify Judge
- MINUTES**
-  **Motion to Disqualify Judge**
Filed by: Defendant Holmes, Wilbert Roy
Motion to Disqualify
Denied; Denied without prejudice.

CASE SUMMARY

CASE NO. D-15-523582-D

Journal Entry Details:

The Court has reviewed the latest Motion to Disqualify filed by Defendant in this matter. As the Motion was not served upon the Judge, the matter is DENIED WITHOUT PREJUDICE to refile and serve in accordance with NRS 1.235(4). CLERK'S NOTE: A copy of this minute order was mailed to: Wilbert Holmes 10550 Pattrington Ct. Las Vegas, NV 89183 Defendant in Pro Se Capucine Holmes 637 Twilight Blue Avenue North Las Vegas, NV 89032 Plaintiff James A. Fontano, Esq. 5135 Camino al Norte, Suite 273 North Las Vegas, NV 89031 Counsel for Plaintiff/ dr;

- 11/29/2017 **CANCELED Order to Show Cause** (10:00 AM) (Judicial Officer: Hughes, Rena G.)
Vacated - per Law Clerk
- 11/29/2017 **CANCELED Motion for Order to Show Cause** (10:00 AM) (Judicial Officer: Hughes, Rena G.)
Vacated - per Law Clerk
Motion For Order To Show Cause Why Defendant Should Not Be Found In Contempt, To Compel Compliance With Decree Of Divorce, And For Award OF Attorney's Fees adn Cost's
- 11/29/2017 **CANCELED Motion** (10:00 AM) (Judicial Officer: Hughes, Rena G.)
Vacated - per Law Clerk
Deft's Motion and Notice of Motion for Orders to Set Aside Order, Judgment, and/or Default
- 11/28/2017  **Minute Order** (2:00 PM) (Judicial Officer: Hughes, Rena G.)
Minute Order - No Hearing Held;
Journal Entry Details:
MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES This matter having come before the Court on Plaintiff's Motion for an Order to Show Cause Why Defendant Should Not Be Held in Contempt, to Compel Compliance with Decree of Divorce, and for Award of Attorney's Fees and Costs filed on October 11, 2017 and on Plaintiff's Order to Show Cause, signed by the Court on October 18, 2017 and filed on October 20, 2017, set to be heard by the Court on November 29, 2017. The Court finds that pursuant to NRCP 1 and EDCR 1.10, the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. The Court finds that subsequent to the Court signing off on Plaintiff's Order to Show Cause, the Court was unaware that the case was under appeal, as Defendant had erroneously filed a Notice of Appeal and a Case Appeal Statement under the District Court caption. The case was therefore not flagged as a case under appeal. The Court was only notified that the case was under appeal when a Notice of Transfer to Court of Appeals was filed on October 19, 2017. The Court finds that a notice of appeal divests this Court of jurisdiction to act and vests the jurisdiction in the appellate court. Rust v. Clark Cty. School District, 103 Nev. 686, 688, 747 P.2d 1380, 1382 (1987). As this case was appealed to the Court of Appeals and the District Court no longer has jurisdiction to hear this matter, the Court is hereby vacating the Order to Show Cause hearing and Plaintiff's Motion without prejudice. The hearing set on November 29, 2017 is hereby vacated. Minute Order to suffice. JEA to mail/fax a copy of this Minute Order to the parties and/or their respective counsel. ;
- 11/20/2017  **Minute Order** (1:30 PM) (Judicial Officer: Hughes, Rena G.)
Minute Order - No Hearing Held;
Journal Entry Details:
MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.501(b), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed. This Court has read and considered the current underlying pleadings in this matter. The Defendant has failed to comply with EDCR 5.206 by failing to file proof of service for the Motion he filed on September 25, 2017. Therefore, Defendant's Motion for Orders to Set Aside Order, Judgment, and/or Default scheduled for November 29, 2017, is taken off calendar for failure to serve. Plaintiff's Motion for an Order to Show Cause and the Order to Show Cause hearing, scheduled for November 29, 2017, shall remain on calendar. Clerk's note, a copy, of today's minute order, was mailed, to the Defendant, at the address, on file and placed, in counsel's folder, at Family Court.;
- 11/08/2017 **CANCELED Motion** (11:00 AM) (Judicial Officer: Hughes, Rena G.)
Vacated
Deft's Ex Parte Motion to Stay
- 11/03/2017 **Motion to Disqualify Judge** (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
Events: 09/25/2017 Notice of Motion
Deft Wilbert Homles' Memorandum of Law in Support of Motion to Disqualify Judge Rena G. Hughes Under 28 U.S.C. 144

CASE SUMMARY

CASE NO. D-15-523582-D

MINUTES



Notice of Motion

Filed By: Defendant Holmes, Wilbert Roy

Denied;

Journal Entry Details:

See order denying motion to disqualify.;

10/03/2017



Minute Order (3:39 PM) (Judicial Officer: Gonzalez, Elizabeth)

Minute Order re: Ex Parte Motion for OST for the Motion to Disqualify Judge Rena G. Hughes

Minute Order - No Hearing Held;

Journal Entry Details:

The Court reviewed the Ex Parte Motion for Order Shortening Time (OST) submitted for the Motion to Disqualify Judge filed 9/19/17. As it does not appear that the Motion or Amended Motion has been served on the judge as required by NRS 1.235(4) the Ex parte Motion is DENIED WITHOUT PREJUDICE. CLERK'S NOTE: A copy of this minute order was distributed to: Wilbert R. Holmes 10550 Patrington Ct. Las Vegas, NV 89183 / dr 10-4-17;

08/23/2017



Motion to Stay (11:00 AM) (Judicial Officer: Hughes, Rena G.)

Events: 07/18/2017 Motion to Stay

Def't's Motion to Stay

MINUTES



Motion to Stay

Filed by: Defendant Holmes, Wilbert Roy

Minute Order - No Hearing Held;

Journal Entry Details:

Per Judge Hughes NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.501(b), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed. This matter came on for hearing on the Court's in chambers calendar on August 23, 2017 for Defendant's Motion to Stay. This Court has read and considered the current underlying pleadings in this matter. Defendant has filed an Appeal of the final Decree of Divorce in this matter and applied to the District Court for a stay of the Decree of Divorce pending the appeal. Defendant's Motion for Stay is devoid of legal authorities and any factual basis. Any motion filed without points and authorities is subject to being denied pursuant to EDCR 2.20 (c) A party filing a motion must also serve and file with it a memorandum of points and authorities in support of each ground thereof. The absence of such memorandum may be construed as an admission that the motion is not meritorious, as cause for its denial or as a waiver of all grounds not so supported. Further, Defendant has not filed a supersedeas bond. Defendant's Motion to Stay is therefore denied. NRCP 62 (d) Stay Upon Appeal. When an appeal is taken the appellant by giving a supersedeas bond may obtain a stay subject to the exceptions contained in subdivision (a) of this rule. The bond may be given at or after the time of filing the notice of appeal. The stay is effective when the supersedeas bond is filed. Clerk's note, a copy, of today's minute order, was mailed to the Parties, at the addresses, on file.;

04/05/2017



Motion (11:00 AM) (Judicial Officer: Hughes, Rena G.)

Events: 02/05/2017 Motion to Enforce

DEFENDANT'S MOTION TO ENFORCE/SHOW CAUS

MINUTES



Motion to Enforce

Filed by: Defendant Holmes, Wilbert Roy

Motion and Notice of Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt

Decision Made;

Journal Entry Details:

Clerk's note, matter was on the IN CHAMBERS calendar and a hearing was not heard. However, a DECISION was made, on the PLEADINGS, with the ORDER, FILED 4/6/17.;

04/04/2017


CANCELED Calendar Call (11:00 AM) (Judicial Officer: Hughes, Rena G.)

CASE SUMMARY

CASE NO. D-15-523582-D

Vacated - per Secretary
Stack #2


01/10/2017

 **Evidentiary Hearing** (1:30 PM) (Judicial Officer: Hughes, Rena G.)

01/10/2017, 01/18/2017

Events: 10/05/2016 Notice of Rescheduling of Hearing
DAY 2 - Finances / equity in marital residence

MINUTES

 Notice of Rescheduling of Hearing

Notice of Rescheduling of Evidentiary Hearing

Due to stacking

reset to 4/18/17. New TMO will be sent by JEA

Stack #5


Matter Continued;

Under Advisement;

Journal Entry Details:

Court noted both parties filed an Amended Pretrial Memorandum with additional exhibits. Testimony and exhibits presented (see worksheets). COURT ORDERED, matter is taken UNDER ADVISEMENT. As the Court is unable to make a DECISION at this time, Ms. Kimble-Simms shall obtain the closing documents from the title company on the home when it was purchased in 1999 and file it with the Court; she may prepare an Order for the Court to sign should a subpoena not be sufficient. Ms. Kimble-Simms shall prepare the Order from today's hearing. Clerk's Note: After the hearing, COURT ORDERED, Defendant is to make Plaintiff's personal items in the home available for her to pick up within 10 days of today's date. (ag);

MINUTES

 Notice of Rescheduling of Hearing

Notice of Rescheduling of Evidentiary Hearing

Due to stacking

reset to 4/18/17. New TMO will be sent by JEA

Stack #5


Matter Continued;

Under Advisement;

Journal Entry Details:

HOUSEKEEPING ISSUES. Review of issues and the pre marital agreement. Witness's sworn and testified. Court heard testimony, from Plaintiff and Wendell Snow. Exhibits offered and admitted. See exhibit worksheet. Court addressed, exhibit C1 is an appraisal, for 2002, however, an appraisal, for 2001 was requested. Due to TIME RESTRICTIONS, COURT ORDERED, matter CONTINUED, to 1/18/17. ;

12/20/2016

 **All Pending Motions** (11:00 AM) (Judicial Officer: Hughes, Rena G.)

Matter Heard;

Journal Entry Details:

DEFT'S MOTION FOR MALICIOUS PROSECUTION...CALENDAR CALL...STATUS CHECK...MOTION TO WITHDRAW AS COUNSEL OF RECORD PER OST Court discussed Defendant's notice of motion failed to provide points or authorities, and a proper motion was not filed. Further, Plaintiff has not filed a pre trial memorandum. Court addressed counsel's motion to withdraw was not served; therefore, can not be heard, today. Discussion regarding not having the entire pre nuptial agreement, from Michigan, appraisals of the residence and the length of time the case has been ongoing. Court reviewed the pre nuptial agreement, which was filed, with the Court. Court noted, there is enough information, in the pre nuptial to apply the laws, of Michigan, to the document. Counsel stated she does not feel comfortable moving forward, with the trial, with the documents she has, as they are not complete. Further, counsel has attempted to retrieve a copy of the full document, however has been able to, due to needing Defendant's authorization. COURT stated FINDINGS and ORDERED: 1. Defendant's MOTION shall be DENIED. 2. As Defendant FILED his EXHIBITS, in his PRE TRIAL MEMORANDUM (12/11/16), EXHIBITS B and C shall be STRICKEN. 3. EVIDENTIARY HEARING STANDS. ;

12/20/2016

Motion (11:00 AM) (Judicial Officer: Hughes, Rena G.)




Events: 12/01/2016 Motion to Withdraw As Counsel

Motion to Withdraw as Counsel of Record per OST

Off Calendar;

CASE SUMMARY

CASE NO. D-15-523582-D

12/20/2016	<p>Calendar Call (11:00 AM) (Judicial Officer: Hughes, Rena G.)</p> <p>Events: 11/29/2016 Notice of Rescheduling of Hearing</p> <p>Stack #5</p> <p>Matter Heard;</p>
12/20/2016	<p>Status Check (11:00 AM) (Judicial Officer: Hughes, Rena G.)</p> <p>Events: 10/26/2016 Notice of Hearing</p> <p>Matter Heard;</p>
12/20/2016	<p>Motion (11:00 AM) (Judicial Officer: Hughes, Rena G.)</p> <p>Events: 10/19/2016 Notice of Motion</p> <p>Deft's Motion for Malicious Prosecution</p> <p>Denied;</p>
12/15/2016	<p>CANCELED Evidentiary Hearing (10:00 AM) (Judicial Officer: Hughes, Rena G.)</p> <p>Vacated - per Attorney or Pro Per</p> <p>Validity of Pre nuptial agreement - per Judge one hour</p>
10/11/2016	<p> Minute Order (10:00 AM) (Judicial Officer: Hughes, Rena G.)</p> <p>Minute Order - No Hearing Held;</p> <p>Journal Entry Details:</p> <p><i>-PER JUDGE NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.11(e), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed. At the April 6, 2016 Case Management Conference hearing, the Court set the matter for an Evidentiary Hearing regarding finances and equity in the marital residence. The Court Ordered a marital appraisal be prepared by Scott Dugan, for the prenuptial agreement to govern the division of property, for discovery to open, for the exchange of documents to be voluntarily completed pursuant to 16.2, and for counsel to amend the pleadings to include the tort claim and the community waste claim within the next 30 days. The Evidentiary Hearing was scheduled for October 12, 2016. Subsequent to the April 6, 2016 hearing, Plaintiff filed a Motion to Amend the Pleadings, for an Order to Enforce and for an Order to Show Cause and to Set Aside the Premarital Agreement. At the Motion hearing on October 4, 2016, the Court granted Plaintiff's request to amend the complaint to include the tort and community waste claim. The Court set an Evidentiary Hearing on the validity of the prenuptial agreement. The Evidentiary Hearing was scheduled for December 15, 2016. This Court has read and considered the current underlying pleadings in this matter. As the prenuptial agreement controls the marital estate and the validity of the prenuptial agreement is being contested, the Court is hereby continuing the Evidentiary Hearing re: finances and equity in the marital estate from October 12, 2016 to April 18, 2017. The Court will first hear the Evidentiary Hearing re: the validity of the prenuptial agreement, on December 15, 2016. Thereafter the Court will address the Evidentiary Hearing regarding the finances and the equity in the marital residence. Clerk's note, a copy of today's minute order, was mailed to Defendant, at the address on file and placed in Attorney's folder, at Family Court. ;</i></p>
10/04/2016	<p> Motion (10:00 AM) (Judicial Officer: Hughes, Rena G.)</p> <p>Events: 07/22/2016 Motion to Amend</p> <p>Pltf's Motion to Amend the Pleadings, For An Order to Enforce and for An Order to Show Cause, and to Set Aside the Premarital Agreement per OST</p> <p>MINUTES</p> <p> Motion to Amend</p> <p>Filed by: Plaintiff Holmes, Capucine Yolanda</p> <p>Motion to Amend the Pleadings, for an Order to Enforce and for an Order to Show Cause, and to Set Aside the Premarital Agreement</p> <p>JEA</p> <p>for the OST. rescheduled back to original date</p> <p>Evidentiary Hearing;</p> <p>Journal Entry Details:</p> <p><i>PLTF'S MOTION TO AMEND THE PLEADINGS, FOR AN ORDER TO ENFORCE AND FOR AN ORDER TO SHOW CAUSE, AND TO SET ASIDE THE PREMARITAL AGREEMENT PER OST Court clerk Tiffany Skaggs present. Discussion regarding lack of full disclosure, prenuptial agreement, 4/6/16 hearing and SOGG. Counsel stated Plaintiff found out after the 4/16 hearing that Defendant owned a liquor business and did not disclose</i></p>

CASE SUMMARY

CASE NO. D-15-523582-D

everything. Attorney advised, Defendant represented he was not going to appear in court anymore. COURT ORDERED, 1. Behavioral Order shall be in EFFECT immediately. 2. Plaintiff's request to AMEND, regarding the TORQUE CLAIM and COMMUNITY WASTE shall be GRANTED. 3. Defendant's Complaint for Malicious Prosecution filed 9/28/16 shall be STRICKEN as it is not a Motion or Proper Document. 4. Plaintiff's claim that Defendant interfered with a job offer shall NOT be ALLOWED as claim does NOT relate to Divorce. 5. Plaintiff's Intentional Infliction claim shall NOT be ALLOWED as claim does NOT relate to Divorce. 6. Attorney shall file briefs pursuant to Michigan Law. 7. Evidentiary hearing regarding financials and marital residence STANDS. 12/15/2016 10:00 am EVIDENTIARY HEARING - validity of prenuptial agreement Minute's from today's hearing to suffice.;

09/27/2016



Calendar Call (11:00 AM) (Judicial Officer: Hughes, Rena G.)

due to stacking - set EH on 10/12/16

Matter Heard;

Journal Entry Details:

Court noted, there were no appearance, for today's hearing, due to confusion, regarding the final order dealing with Defendant's motion, to disqualify. Court clerk trainee, Marlana Elliott, present. COURT ORDERED, DUE to STACKING, the EVIDENTIARY HEARING shall be RESET, to 10/12/16. Court's JEA to NOTICE said HEARING. The MOTION set, for 10/4/16, STANDS.;

09/23/2016



Minute Order (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Minute Order: Motion to Disqualify

Minute Order - No Hearing Held; Motion to disqualify denied.

Journal Entry Details:

COURT ORDERED, as it does not appear that the motion was properly served upon the judge under NRS 1.235(4) the motion to disqualify is DENIED. See written order. CLERK'S NOTE: A copy of the above minute order was electronically mailed to Atty. Marsha Simms, counsel for Plaintiff, and mailed to Wilbert Holmes, Defendant in Pro Se, at 10550 Patrington Ct Las Vegas, NV 89183. / dr 9-28-16 ;

09/23/2016

Motion to Disqualify Judge (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Deft's Memorandum of Law in Support of Motion to Disqualify Judge Rena G. Hughes Under 28U.S.C.144

09/22/2016



Motion to Disqualify Judge (3:00 AM) (Judicial Officer: Barker, David)

Events: 08/18/2016 Notice of Motion

Deft's Memorandum of Law in Support of Motion to Disqualify Judge Rena G. Hughes Under 28U.S.C.144

MINUTES



Notice of Motion

Filed By: Defendant Holmes, Wilbert Roy

Matter Continued;

Journal Entry Details:

The Court notes that in Plaintiff's Motion to Amend Pleadings, filed July 22, 2016, and set for hearing on October 4, 2016, Plaintiff's counsel references having spoken with this Court and being referred to Presiding Judge of the Family Division, Judge Charles Hoskin. See motion at 8:9-14. To avoid the appearance of impropriety Defendant's Motion to Disqualify Judge Hughes is ORDERED transferred to the Department 11 September 23, 2016, chamber calendar for either reassignment or decision by Judge Gonzalez at her discretion. CLERK'S NOTE: A copy of this Minute Order has been placed in the attorney folder of Marsha Kimble-Simms, Esq., and mailed to: Wilbert Roy Holmes 10550 Patrington Ct. Las Vegas, NV 89183.ann/9/22/16 ;

09/21/2016

CANCELED Motion (10:00 AM) (Judicial Officer: Hughes, Rena G.)

Vacated - per Judge

Deft's Motion for Change of Venue

07/26/2016



Minute Order (11:00 AM) (Judicial Officer: Hughes, Rena G.)

Minute Order - No Hearing Held;

Journal Entry Details:


Per Judge Hughes NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.11(e), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court

CASE SUMMARY

CASE NO. D-15-523582-D

can grant the requested relief if there is no opposition timely filed. On July 16, 2016 Defendant filed a Motion for Change of Venue, with a Notice of Motion filed July 22, 2016 setting a hearing for September 21, 2016 at 10:00 a.m. The basis of Defendant's motion to change venue is his assertion that Plaintiff somehow can exert undue influence over the judiciary in Clark County, Nevada, and thus he will not receive a fair trial. Defendant further asserts that members of the judiciary have attended social events at his home, and that Plaintiff, his wife, is friends with members of the judiciary. Defendant does not assert Judge Rena Hughes attended social events at his home, or that Judge Rena Hughes is friends with his wife. Judge Rena Hughes has in fact not attended any social events at the parties home, and is not friends with Plaintiff. Judge Rena Hughes has no bias, nor prejudice for, or against, either party. Plaintiff has no undue influence over Judge Rena Hughes, and there is no basis to change venue as Defendant asserts. See, SCR 2.11. Defendant's Motion for Change of Venue is devoid of legal points and authorities, and does not meet the requirements of EDCR 2.20. Even if Defendant had cited to the appropriate statute or rule, the Court finds no basis for a change in venue. Both parties reside in Clark County, Nevada, the forum is convenient, and there is no obstacle to a fair and impartial trial. See, NRS 13.040 and 13.050. Defendant's Motion is DENIED, and the hearing of September 21, 2016 is VACATED. Clerk's note, a copy of today's was mailed to Defendant, at the address, on file and placed, in counsel's folder, at Family Court.;


05/17/2016 CANCELED Motion (10:00 AM) (Judicial Officer: Hughes, Rena G.)
Vacated
Deft's Attorney's Motion to Withdraw as Attorney of Record

03/30/2016  Case Management Conference (11:00 AM) (Judicial Officer: Hughes, Rena G.)

03/30/2016, 04/06/2016

Events: 02/09/2016 Notice of Rescheduling of Hearing
Reset, from 3/30/16, due to JNA.

MINUTES

 Notice of Rescheduling of Hearing

Notice of Unavailability filed 2/18/16


Off Calendar;

Evidentiary Hearing;

Journal Entry Details:

Arguments regarding, pre nuptial agreement, division of property, appraisal of marital residence, selling of the marital residence, job search for Plaintiff, assets and debts, domestic violence, TORTE claims and battery. COURT stated FINDINGS and ORDERED: 1. The MARTIAL APPRAISAL shall be PREPARED, by SCOTT DUGAN. Defendant shall FRONT the COST; HOWEVER, in the END, said COST shall be EQUALLY DIVIDED, by the Parties. 2. The PRE NUPITAL AGREEMENT shall GOVERN the DIVISION, of PROPERTY. 3. DISCOVERY shall be OPEN. 4. Pursuant to 16.2, EXCHANGE of DOCUMENTS shall be VOLUNTARILY COMPLETED. 5. Counsel shall AMEND the PLEADINGS, to INCLUDE the TORTE CLAIM and COMMUNITY WASTE, within the next 30 days. Attorney Jacobson to prepare an Order, from today's hearing. 9/27/16 11:00 am CALENDAR CALL 10/11/16 1:30 pm EVIDENTIARY HEARING - finances and equity in residence (stack #2);

MINUTES

 Notice of Rescheduling of Hearing

Notice of Unavailability filed 2/18/16

Off Calendar;

Evidentiary Hearing;

Journal Entry Details:

Due to the unavailability, of the Court, matter OFF CALENDAR and RESET, for 4/6/16. A copy of today's minute order and Notice of Rescheduling of Hearing, placed, in counsel's folder, at Family Court.;

DATE

FINANCIAL INFORMATION

Intervenor Panfil, Kimberly

Total Charges

25.00

Total Payments and Credits

25.00

Balance Due as of 8/2/2021

0.00

Defendant Holmes, Wilbert Roy

Total Charges

465.00

Total Payments and Credits

465.00

CASE SUMMARY

CASE NO. D-15-523582-D

Balance Due as of 8/2/2021	0.00
Plaintiff Holmes, Capucine Yolanda	
Total Charges	435.50
Total Payments and Credits	435.50
Balance Due as of 8/2/2021	0.00

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

March 30, 2016

D-15-523582-D	Capucine Yolanda Holmes, Plaintiff
	vs.
	Wilbert Roy Holmes, Defendant.

March 30, 2016	11:00 AM	Case Management Conference
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HEARD BY: Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

PARTIES:

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Kimberly Panfil, Intervenor, not present	Brent Blanchard, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

JOURNAL ENTRIES

- Due to the unavailability, of the Court, matter OFF CALENDAR and RESET, for 4/6/16.

A copy of today's minute order and Notice of Rescheduling of Hearing, placed, in counsel's folder, at Family Court.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

April 06, 2016

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

**April 06, 2016 11:00 AM Case Management
Conference**

HEARD BY: Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

PARTIES:

Capucine Holmes, Plaintiff, present	Marsha Kimble-Simms, Attorney, present
Kimberly Panfil, Intervenor, not present	Brent Blanchard, Attorney, not present
Wilbert Holmes, Defendant, present	Pro Se

JOURNAL ENTRIES

- Arguments regarding, pre nuptial agreement, division of property, appraisal of marital residence, selling of the marital residence, job search for Plaintiff, assets and debts, domestic violence, TORTE claims and battery.

COURT stated FINDINGS and ORDERED:

1. The MARTIAL APPRAISAL shall be PREPARED, by SCOTT DUGAN. Defendant shall FRONT the COST; HOWEVER, in the END, said COST shall be EQUALLY DIVIDED, by the Parties.
2. The PRE NUPTIAL AGREEMENT shall GOVERN the DIVISION, of PROPERTY.
3. DISCOVERY shall be OPEN.
4. Pursuant to 16.2, EXCHANGE of DOCUMENTS shall be VOLUNTARILY COMPLETED.

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5. Counsel shall AMEND the PLEADINGS, to INCLUDE the TORTE CLAIM and COMMUNITY WASTE, within the next 30 days.

Attorney Jacobson to prepare an Order, from today's hearing.

9/27/16 11:00 am CALENDAR CALL

10/11/16 1:30 pm EVIDENTIARY HEARING - finances and equity in residence (stack #2)

INTERIM CONDITIONS:

FUTURE HEARINGS: Apr 06, 2016 11:00AM Case Management Conference
Reset, from 3/30/16, due to JNA.
Courtroom 04 Hughes, Rena G.

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

July 26, 2016

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

July 26, 2016 11:00 AM Minute Order

HEARD BY: Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Kimberly Panfil, Intervenor, not present	Brent Blanchard, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

JOURNAL ENTRIES

- Per Judge Hughes

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.11(e), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed.

On July 16, 2016 Defendant filed a Motion for Change of Venue, with a Notice of Motion filed July 22, 2016 setting a hearing for September 21, 2016 at 10:00 a.m. The basis of Defendant's motion to change venue is his assertion that Plaintiff somehow can exert undue influence over the judiciary in Clark County, Nevada, and thus he will not receive a fair trial. Defendant further asserts that members of the judiciary have attended social events at his home, and that Plaintiff, his wife, is friends with members of the judiciary. Defendant does not assert Judge Rena Hughes attended social events at his home, or that Judge Rena Hughes is friends with his wife.

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Judge Rena Hughes has in fact not attended any social events at the parties home, and is not friends with Plaintiff. Judge Rena Hughes has no bias, nor prejudice for, or against, either party. Plaintiff has no undue influence over Judge Rena Hughes, and there is no basis to change venue as Defendant asserts. See, SCR 2.11.

Defendant's Motion for Change of Venue is devoid of legal points and authorities, and does not meet the requirements of EDCR 2.20. Even if Defendant had cited to the appropriate statute or rule, the Court finds no basis for a change in venue. Both parties reside in Clark County, Nevada, the forum is convenient, and there is no obstacle to a fair and impartial trial. See, NRS 13.040 and 13.050.

Defendant's Motion is DENIED, and the hearing of September 21, 2016 is VACATED.

Clerk's note, a copy of today's was mailed to Defendant, at the address, on file and placed, in counsel's folder, at Family Court.

INTERIM CONDITIONS:

FUTURE HEARINGS: Sep 27, 2016 11:00AM Calendar Call
due to stacking - set EH on 10/12/16
Courtroom 04 Hughes, Rena G.

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

September 22, 2016

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

September 22, 2016 3:00 AM Motion to Disqualify Judge

HEARD BY: Barker, David**COURTROOM:****COURT CLERK:****PARTIES:**

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Kimberly Panfil, Intervenor, not present	Brent Blanchard, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

JOURNAL ENTRIES

- The Court notes that in Plaintiff's Motion to Amend Pleadings, filed July 22, 2016, and set for hearing on October 4, 2016, Plaintiff's counsel references having spoken with this Court and being referred to Presiding Judge of the Family Division, Judge Charles Hoskin. See motion at 8:9-14. To avoid the appearance of impropriety Defendant's Motion to Disqualify Judge Hughes is ORDERED transferred to the Department 11 September 23, 2016, chamber calendar for either reassignment or decision by Judge Gonzalez at her discretion.

CLERK'S NOTE: A copy of this Minute Order has been placed in the attorney folder of Marsha Kimble-Simms, Esq., and mailed to:
Wilbert Roy Holmes
10550 Patrington Ct.
Las Vegas, NV 89183.anm/9/22/16

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INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

September 23, 2016

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

September 23, 2016 3:00 AM Minute Order

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Dulce Romea

PARTIES:

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Kimberly Panfil, Intervenor, not present	Brent Blanchard, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

JOURNAL ENTRIES

- COURT ORDERED, as it does not appear that the motion was properly served upon the judge under NRS 1.235(4) the motion to disqualify is DENIED. See written order.

CLERK'S NOTE: A copy of the above minute order was electronically mailed to Atty. Marsha Simms, counsel for Plaintiff, and mailed to Wilbert Holmes, Defendant in Pro Se, at 10550 Patrington Ct Las Vegas, NV 89183. / dr 9-28-16

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

September 27, 2016

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

September 27, 2016 11:00 AM Calendar Call

HEARD BY: Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

PARTIES:

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Kimberly Panfil, Intervenor, not present	Brent Blanchard, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

JOURNAL ENTRIES

- Court noted, there were no appearance, for today's hearing, due to confusion, regarding the final order dealing with Defendant's motion, to disqualify.

Court clerk trainee, Marlana Elliott, present.

COURT ORDERED, DUE to STACKING, the EVIDENTIARY HEARING shall be RESET, to 10/12/16. Court's JEA to NOTICE said HEARING. The MOTION set, for 10/4/16, STANDS.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

October 04, 2016

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

October 04, 2016 10:00 AM Motion

HEARD BY: Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

PARTIES:

Capucine Holmes, Plaintiff, present	Marsha Kimble-Simms, Attorney, present
Kimberly Panfil, Intervenor, not present	Brent Blanchard, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

JOURNAL ENTRIES

- PLTF'S MOTION TO AMEND THE PLEADINGS, FOR AN ORDER TO ENFORCE AND FOR AN ORDER TO SHOW CAUSE, AND TO SET ASIDE THE PREMARITAL AGREEMENT PER OST

Court clerk Tiffany Skaggs present.

Discussion regarding lack of full disclosure, prenuptial agreement, 4/6/16 hearing and SOGG.

Counsel stated Plaintiff found out after the 4/16 hearing that Defendant owned a liquor business and did not disclose everything.

Attorney advised, Defendant represented he was not going to appear in court anymore.

COURT ORDERED,

1. Behavioral Order shall be in EFFECT immediately.

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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

2. Plaintiff's request to AMEND, regarding the TORQUE CLAIM and COMMUNITY WASTE shall be GRANTED.

3. Defendant's Complaint for Malicious Prosecution filed 9/28/16 shall be STRICKEN as it is not a Motion or Proper Document.

4. Plaintiff's claim that Defendant interfered with a job offer shall NOT be ALLOWED as claim does NOT relate to Divorce.

5. Plaintiff's Intentional Infliction claim shall NOT be ALLOWED as claim does NOT relate to Divorce.

6. Attorney shall file briefs pursuant to Michigan Law.

7. Evidentiary hearing regarding financials and marital residence STANDS.

12/15/2016 10:00 am EVIDENTIARY HEARING - validity of prenuptial agreement

Minute's from today's hearing to suffice.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

October 11, 2016

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

October 11, 2016 10:00 AM Minute Order

HEARD BY: Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Marlana Elliott**PARTIES:**

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Kimberly Panfil, Intervenor, not present	Brent Blanchard, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

JOURNAL ENTRIES

- -PER JUDGE

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.11(e), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed.

At the April 6, 2016 Case Management Conference hearing, the Court set the matter for an Evidentiary Hearing regarding finances and equity in the marital residence. The Court Ordered a marital appraisal be prepared by Scott Dugan, for the prenuptial agreement to govern the division of property, for discovery to open, for the exchange of documents to be voluntarily completed pursuant to 16.2, and for counsel to amend the pleadings to include the tort claim and the community waste claim within the next 30 days. The Evidentiary Hearing was scheduled for October 12, 2016.

Subsequent to the April 6, 2016 hearing, Plaintiff filed a Motion to Amend the Pleadings, for an Order

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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

to Enforce and for an Order to Show Cause and to Set Aside the Premarital Agreement. At the Motion hearing on October 4, 2016, the Court granted Plaintiff s request to amend the complaint to include the tort and community waste claim. The Court set an Evidentiary Hearing on the validity of the prenuptial agreement. The Evidentiary Hearing was scheduled for December 15, 2016.

This Court has read and considered the current underlying pleadings in this matter. As the prenuptial agreement controls the marital estate and the validity of the prenuptial agreement is being contested, the Court is hereby continuing the Evidentiary Hearing re: finances and equity in the marital estate from October 12, 2016 to April 18, 2017.

The Court will first hear the Evidentiary Hearing re: the validity of the prenuptial agreement, on December 15, 2016. Thereafter the Court will address the Evidentiary Hearing regarding the finances and the equity in the marital residence.

Clerk's note, a copy of today's minute order, was mailed to Defendant, at the address on file and placed in Attorney's folder, at Family Court.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

December 20, 2016

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

December 20, 2016 11:00 AM**All Pending Motions****HEARD BY:** Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

Capucine Holmes, Plaintiff, present

Kimberly Panfil, Intervenor, not present

Wilbert Holmes, Defendant, present

Marsha Kimble-Simms, Attorney, present

Brent Blanchard, Attorney, not present

Pro Se

JOURNAL ENTRIES

- DEFT'S MOTION FOR MALICIOUS PROSECUTION...CALENDAR CALL...STATUS
CHECK...MOTION TO WITHDRAW AS COUNSEL OF RECORD PER OST

Court discussed Defendant's notice of motion failed to provide points or authorities, and a proper motion was not filed. Further, Plaintiff has not filed a pre trial memorandum. Court addressed counsel's motion to withdraw was not served; therefore, can not be heard, today.

Discussion regarding not having the entire pre nuptial agreement, from Michigan, appraisals of the residence and the length of time the case has been ongoing.

Court reviewed the pre nuptial agreement, which was filed, with the Court. Court noted, there is enough information, in the pre nuptial to apply the laws, of Michigan, to the document.

Counsel stated she does not feel comfortable moving forward, with the trial, with the documents she has, as they are not complete. Further, counsel has attempted to retrieve a copy of the full document,

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however has been able to, due to needing Defendant's authorization.

COURT stated FINDINGS and ORDERED:

1. Defendant's MOTION shall be DENIED.
2. As Defendant FILED his EXHIBITS, in his PRE TRIAL MEMORANDUM (12/11/16), EXHIBITS B and C shall be STRICKEN.
3. EVIDENTIARY HEARING STANDS.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

January 10, 2017

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

January 10, 2017 1:30 PM Evidentiary Hearing

HEARD BY: Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

PARTIES:

Capucine Holmes, Plaintiff, present
Kimberly Panfil, Intervenor, not present
Wilbert Holmes, Defendant, present

Marsha Kimble-Simms, Attorney, present
Brent Blanchard, Attorney, not present
Pro Se

JOURNAL ENTRIES

- HOUSEKEEPING ISSUES.

Review of issues and the pre marital agreement.

Witness's sworn and testified. Court heard testimony, from Plaintiff and Wendell Snow.

Exhibits offered and admitted. See exhibit worksheet.

Court addressed, exhibit C1 is an appraisal, for 2002, however, an appraisal, for 2001 was requested.

Due to TIME RESTRICTIONS, COURT ORDERED, matter CONTINUED, to 1/18/17.

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INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

January 18, 2017

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

January 18, 2017 1:30 PM Evidentiary Hearing

HEARD BY: Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: April Graham

PARTIES:

Capucine Holmes, Plaintiff, present	Marsha Kimble-Simms, Attorney, present
Kimberly Panfil, Intervenor, not present	Brent Blanchard, Attorney, not present
Wilbert Holmes, Defendant, present	Pro Se

JOURNAL ENTRIES

- Court noted both parties filed an Amended Pretrial Memorandum with additional exhibits.

Testimony and exhibits presented (see worksheets).

COURT ORDERED, matter is taken UNDER ADVISEMENT. As the Court is unable to make a DECISION at this time, Ms. Kimble-Simms shall obtain the closing documents from the title company on the home when it was purchased in 1999 and file it with the Court; she may prepare an Order for the Court to sign should a subpoena not be sufficient.

Ms. Kimble-Simms shall prepare the Order from today's hearing.

Clerk's Note: After the hearing, COURT ORDERED, Defendant is to make Plaintiff's personal items in the home available for her to pick up within 10 days of today's date. (ag)

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INTERIM CONDITIONS:

FUTURE HEARINGS: Jan 18, 2017 1:30PM Evidentiary Hearing
DAY 2 - Finances / equity in marital residence
Courtroom 04 Hughes, Rena G.

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

April 05, 2017

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

April 05, 2017 11:00 AM Motion

HEARD BY: Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

PARTIES:

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Kimberly Panfil, Intervenor, not present	Brent Blanchard, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

JOURNAL ENTRIES

- Clerk's note, matter was on the IN CHAMBERS calendar and a hearing was not heard. However, a DECISION was made, on the PLEADINGS, with the ORDER, FILED 4/6/17.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

August 23, 2017

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

August 23, 2017 11:00 AM Motion to Stay

HEARD BY: Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Kimberly Panfil, Intervenor, not present	Brent Blanchard, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

JOURNAL ENTRIES

- Per Judge Hughes

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.501(b), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed.

This matter came on for hearing on the Court's in chambers calendar on August 23, 2017 for Defendant's Motion to Stay.

This Court has read and considered the current underlying pleadings in this matter.

Defendant has filed an Appeal of the final Decree of Divorce in this matter and applied to the District Court for a stay of the Decree of Divorce pending the appeal. Defendant's Motion for Stay is devoid

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of legal authorities and any factual basis. Any motion filed without points and authorities is subject to being denied pursuant to EDCR2.20 (c) A party filing a motion must also serve and file with it a memorandum of points and authorities in support of each ground thereof. The absence of such memorandum may be construed as an admission that the motion is not meritorious, as cause for its denial or as a waiver of all grounds not so supported.

Further, Defendant has not filed a supersedeas bond. Defendant s Motion to Stay is therefore denied.

NRCP 62 (d) Stay Upon Appeal. When an appeal is taken the appellant by giving a supersedeas bond may obtain a stay subject to the exceptions contained in subdivision (a) of this rule. The bond may be given at or after the time of filing the notice of appeal. The stay is effective when the supersedeas bond is filed.

Clerk's note, a copy, of today's minute order, was mailed to the Parties, at the addresses, on file.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

October 03, 2017

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

October 03, 2017 3:39 PM Minute Order

HEARD BY: Gonzalez, Elizabeth

COURTROOM:

COURT CLERK: Dulce Romea

PARTIES:

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Kimberly Panfil, Intervenor, not present	Brent Blanchard, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

JOURNAL ENTRIES

- The Court reviewed the Ex Parte Motion for Order Shortening Time (OST) submitted for the Motion to Disqualify Judge filed 9/1/9/17. As it does not appear that the Motion or Amended Motion has been served on the judge as required by NRS 1.235(4) the Ex parte Motion is DENIED WITHOUT PREJUDICE.

CLERK'S NOTE: A copy of this minute order was distributed to:

Wilbert R. Holmes
10550 Patrington Ct.
Las Vegas, NV 89183

/ dr 10-4-17

INTERIM CONDITIONS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

November 03, 2017

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

November 03, 2017 3:00 AM Motion to Disqualify Judge

HEARD BY: Gonzalez, Elizabeth

COURTROOM: Chambers

COURT CLERK: Dulce Romea

PARTIES:

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Kimberly Panfil, Intervenor, not present	Brent Blanchard, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

JOURNAL ENTRIES

- See order denying motion to disqualify.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

November 20, 2017

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

November 20, 2017 1:30 PM Minute Order

HEARD BY: Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Kimberly Panfil, Intervenor, not present	Brent Blanchard, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

JOURNAL ENTRIES

- MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.501(b), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed.

This Court has read and considered the current underlying pleadings in this matter.

The Defendant has failed to comply with EDCR 5.206 by failing to file proof of service for the Motion he filed on September 25, 2017.

Therefore, Defendant s Motion for Orders to Set Aside Order, Judgment, and/or Default scheduled

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for November 29, 2017, is taken off calendar for failure to serve.

Plaintiff s Motion for an Order to Show Cause and the Order to Show Cause hearing, scheduled for November 29, 2017, shall remain on calendar.

Clerk's note, a copy, of today's minute order, was mailed, to the Defendant, at the address, on file and placed, in counsel's folder, at Family Court.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

November 28, 2017

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

November 28, 2:00 PM Minute Order
2017

HEARD BY: Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Kimberly Panfil, Intervenor, not present	Brent Blanchard, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

JOURNAL ENTRIES

- MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES

This matter having come before the Court on Plaintiff s Motion for an Order to Show Cause Why Defendant Should Not Be Held in Contempt, to Compel Compliance with Decree of Divorce, and for Award of Attorney s Fees and Costs filed on October 11, 2017 and on Plaintiff s Order to Show Cause, signed by the Court on October 18, 2017 and filed on October 20, 2017, set to be heard by the Court on November 29, 2017.

The Court finds that pursuant to NRCP 1 and EDCR 1.10, the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action.

The Court finds that subsequent to the Court signing off on Plaintiff s Order to Show Cause, the Court was unaware that the case was under appeal, as Defendant had erroneously filed a Notice of Appeal and a Case Appeal Statement under the District Court caption. The case was therefore not

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flagged as a case under appeal.

The Court was only notified that the case was under appeal when a Notice of Transfer to Court of Appeals was filed on October 19, 2017.

The Court finds that a notice of appeal divests this Court of jurisdiction to act and vests the jurisdiction in the appellate court. *Rust v. Clark Cty. School District*, 103 Nev. 686, 688, 747 P.2d 1380, 1382 (1987).

As this case was appealed to the Court of Appeals and the District Court no longer has jurisdiction to hear this matter, the Court is hereby vacating the Order to Show Cause hearing and Plaintiff's Motion without prejudice.

The hearing set on November 29, 2017 is hereby vacated. Minute Order to suffice. JEA to mail/fax a copy of this Minute Order to the parties and/or their respective counsel.

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

June 29, 2018

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

**June 29, 2018 3:00 AM Motion to Disqualify
Judge**

HEARD BY: Gonzalez, Elizabeth

COURTROOM: Chambers

COURT CLERK: Dulce Romea

PARTIES:

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Kimberly Panfil, Intervenor, not present	Brent Blanchard, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

JOURNAL ENTRIES

- The Court has reviewed the latest Motion to Disqualify filed by Defendant in this matter. As the Motion was not served upon the Judge, the matter is DENIED WITHOUT PREJUDICE to refile and serve in accordance with NRS 1.235(4).

CLERK'S NOTE: A copy of this minute order was mailed to:

Wilbert Holmes
10550 Patrington Ct.
Las Vegas, NV 89183
Defendant in Pro Se

Capucine Holmes
637 Twilight Blue Avenue
North Las Vegas, NV 89032

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Plaintiff

James A. Fontano, Esq.
5135 Camino al Norte, Suite 273
North Las Vegas, NV 89031
Counsel for Plaintiff

/ dr

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES****September 17, 2019**

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

September 17, 2019 4:00 PM Minute Order

HEARD BY: Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Kimberly Panfil, Intervenor, not present	Brent Blanchard, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

JOURNAL ENTRIES

- Minute Order
D-15-523582-D
Holmes v Holmes

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.501(b), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed.

This Court has read and considered the current underlying pleadings in this matter. On August 19, 2019 Defendant filed a Motion for Rehearing. On August 20, 2019 Defendant filed an Amended Motion for Rehearing. Defendant filed a Certificate of Service indicating he had the Motions electronically served on August 16, 2019. As Defendant's Motions were not e-filed until August 20,

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2019, Defendant s claimed date of service is deficient. Therefore the Motion hearing scheduled for September 24, 2019 is hereby vacated. Defendant may re-notice his Motion through the Clerk s Office to set this matter back on calendar. Case closed.

Clerk's note, a copy, of today's minute order was mailed, to Defendant and counsel, at the addresses, on file.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

October 29, 2019

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

October 29, 2019 1:30 PM All Pending Motions

HEARD BY: Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

PARTIES:

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, present
Kimberly Panfil, Intervenor, not present	Brent Blanchard, Attorney, not present
Wilbert Holmes, Defendant, present	Pro Se

JOURNAL ENTRIES

- OPPOSITION TO MOTION FOR REHEARING...DEFT'S RE NOTICE OF MOTION FOR REHEARING

Defendant appeared TELEPHONICALLY.

Court inquired if the request for a rehearing is for the final decree, which Defendant said yes. Defendant stated there was an item that has not been recognized, on his behalf, in the divorce. Court discussed, the matter was taken up to the Court of Appeals and is on appeal; therefore, this Court no longer has jurisdiction.

Defendant stated he was informed the matter was sent back to District Court, to make a decision.

Court reviewed the case file. Further, addressed the matter was appealed and has been confirmed.

Defendant discussed Plaintiff signed off on a quick claim deed and signed off on any property rights.

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Defendant does not understand how Plaintiff can be awarded any equity in the property, when she has no rights to it. Plaintiff had to sign off before the house could be put under the Senior Citizen Home Equity Program. Defendant stated his argument is Plaintiff signed legal documents that Plaintiff does not have any equity then, or in the future, on that property.

Court addressed, it was recognized Defendant was the only title holder, at the time of trial and the Court heard evidence and testimony. Further, Plaintiff signed the quick claim deed because it was necessary for Defendant to be able to refinance the residence and get equity out of the property.

Court reviewed the trial notes.

COURT FOUND, the motion is legally deficient, has no legal or factual basis, it has been appealed and affirmed, by the Supreme Court.

COURT ORDERED:

1. As Defendant's MOTION is LEGALLY DEFICIENT the MOTION shall be DENIED.
2. Attorney Fontano shall FILE a MEMORANDUM of FEES and COSTS, for THIS HEARING, which INCLUDES the BRUNZELL FACTORS, within the next 10 days. Upon RECEIPT, Defendant shall have 10 days to FILE a RESPONSE. COURTESY COPIES shall be PROVIDED, to the DEPARTMENT.

Attorney Fontano to prepare an Order, from today's hearing. CASE CLOSED.

Clerk's note, as Defendant was being disruptive and over talking the Court, the Court lowered the volume of Defendant speaking, so the Court could make findings and the order, without interruptions.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

December 16, 2019

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

December 16, 2019 2:30 PM**All Pending Motions****HEARD BY:** Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

Capucine Holmes, Plaintiff, not present
Kimberly Panfil, Intervenor, not present
Wilbert Holmes, Defendant, not present

James Fontano, Attorney, present
Brent Blanchard, Attorney, not present
Pro Se

JOURNAL ENTRIES

- PLTF'S MOTION FOR ORDER TO SHOW CAUSE WHY DEFT SHOULD NOT BE HELD IN CONTEMPT TO COMPEL COMPLIANCE WITH DECREE OF DIVORCE, AND FOR AWARD O ATTY'S FEES AND COSTS...PLTF'S ORDER TO SHOW CAUSE

Court addressed, last Friday the department received Defendant's ex parte motion to continue this hearing. Counsel stated Defendant e served him and counsel did see it. Court stated it is not supported, by any medical records that say he could not be present, today. Court reviewed the documents that were filed, with the motion. A proper motion was not filed, or proof that Defendant is in the hospital.

Court reviewed page 9, of the divorce decree.

COURT FOUND, Defendant should have been present today or filed the proper motion to give the court some basis for the allegations that he has made about being in the hospital.

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Counsel stated he is seeking an order to be able control the sale of the property. It is counsel's understanding, Defendant has moved out of the house and is renting it as a short term rental through AirBnB.

Court reviewed page 9, of the divorce decree, regarding if Defendant failed to pay Plaintiff her equity, in the home.

COURT ORDERED:

1. It shall be JUST and REASONABLE to AWARD ATTORNEY'S FEES, for today. Counsel shall FILE a MEMORANDUM of FEES and COSTS, together with the BRUNZELL AFFIDAVIT.
2. Plaintiff's MOTION shall be GRANTED.
3. The PROVISION, in the DIVORCE DECREE, regarding Plaintiff being ENTITLED to ENFORCE the SALE of the PROPERTY, to OBTAIN her EQUITY SHARE (\$100,862.73) in the property and ATTORNEY'S FEES shall be GRANTED.

Attorney Fontano to prepare an Order, from today's hearing.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

April 28, 2021

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

April 28, 2021 3:45 PM Minute Order

HEARD BY: Butler, Dee Smart

COURTROOM: Courtroom 05

COURT CLERK: Ameiona Ratcliff

PARTIES:

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Kimberly Panfil, Intervenor, not present	Brent Blanchard, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

JOURNAL ENTRIES

- MINUTE ORDER - NO HEARING HELD

Case No. D-15-523582-D

Capucine Yolanda Holmes, Plaintiff vs. Wilbert Roy Holmes, Defendant

Pursuant to NRCP 1 and EDCR 1.10, the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action.

NCJC 2.11(A)(1) states:

(A) A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to the following circumstances:

(1) The judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of facts that are in dispute in the proceeding.

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COURT FINDS that Plaintiff Capucine "Cap" Yolanda Holmes is a personal friend and the court desires to continue and maintain the personal friendship. The Honorable Dee Butler has a personal bias concerning Ms. Holmes and would like to see a favorable outcome for her. The COURT FINDS that her impartiality might be reasonably questioned due to the personal friendship.

NOW THEREFORE, IT IS HEREBY ORDERED that to avoid the appearance of impropriety and implied bias, the Court shall disqualify itself.

IT IS FURTHER ORDERED that the Clerk of Court shall randomly reassign the matter to another department.

IT IS FURTHER ORDERED that the Court Clerk shall provide a copy of this Minute Order to all parties.

CLERK'S NOTE: On 4/28/2021 a copy of the Court's Minute Order was provided to each Attorney or Parties via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (ajr)

INTERIM CONDITIONS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

July 27, 2021

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

July 27, 2021 2:00 PM Minute Order

HEARD BY: Almase, Heidi**COURTROOM:** Chambers**COURT CLERK:** Quintin Mansfield**PARTIES:**

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, not present
Kimberly Panfil, Intervenor, not present	Brent Blanchard, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

JOURNAL ENTRIES

- MINUTE ORDER - NO HEARING HELD - NO APPEARANCES

This matter is scheduled for Chambers review on July 28, 2021 on Defendant Wilbert R. Holmes May 24, 2021 Motion to Reverse/Drop/Withdrawal of Motion for Request for Order to Revise Property Settlement [sic].

This Court exercises authority granted it pursuant to NRCP 1 and EDCR 1.10 which provide district court dockets shall be administered to secure speedy, efficient and inexpensive determinations in every action.

On June 9, 2021, this Court filed a written order resolving Defendant s May 24, 2021 Motion to Reverse et al. See Order at p.3, ll.9-11 and p.6, ll.8-11 (filed June 9, 2021). Accordingly, it appears to this Court, the above-listed matter was left on calendar in ERROR. Therefore, the Court ORDERS the July 28, 2021 chambers matter VACATED.

PRINT DATE:	08/02/2021	Page 42 of 45	Minutes Date:	March 30, 2016
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

CLERK S NOTE: On 07/27/2021 a copy of the Court s Minute Order was provided to Defendant and to Plaintiff s Attorney of record via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (qm)

INTERIM CONDITIONS:

FUTURE HEARINGS:

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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

July 29, 2021

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

July 29, 2021 10:00 AM All Pending Motions

HEARD BY: Almase, Heidi**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** Quintin Mansfield**PARTIES:**

Capucine Holmes, Plaintiff, not present	James Fontano, Attorney, present
Kimberly Panfil, Intervenor, not present	Brent Blanchard, Attorney, not present
Wilbert Holmes, Defendant, not present	Pro Se

JOURNAL ENTRIES

- MOTION: MOTION FOR SANCTIONS PURSUANT TO NRCP 11... MOTION: MOTION TO REVERSE/DROP WITHDRAWAL OF MOTION FOR REQUEST FOR ORDER TO REVERSE PROPERTY SETTLEMENT... MOTION: MOTION FOR REQUEST FOR ORDER TO REVISE PROPERTY SETTLEMENT

In the interest of public safety due to the Coronavirus pandemic, Plaintiff's counsel was present via VIDEO CONFERENCE through the BlueJeans application. Plaintiff's appearance was WAIVED and Defendant, Wilbert Holmes, failed to appear.

Court reviewed the record and noted the pleadings on file.

Upon inquiry of the Court, Mr. Fontano, counsel for Plaintiff, Capucine Holmes, stated Defendant filed a Motion to Withdraw which caused Mr. Fontano not to file his Motion for Sanctions. Mr. Fontano then stated another motion was filed by Defendant reversing his withdrawal of his motion which caused Mr. Fontano to file the Motion for Sanctions.

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Upon inquiry of the Court, Mr. Fontano requested attorney's fees for his client. The Court referenced the Order from 02/04/2020 which authorized Plaintiff to obtain a key to the parties' property in order to enter the property and list it for sale. Upon inquiry of the Court, Mr. Fontano affirmed this was the Court's order.

COURT stated its FINDINGS and ORDERED the following:

1. Plaintiff's Request to Enforce the 02/04/2020 Order is hereby GRANTED.
2. ATTORNEY'S FEES: The Court directed counsel to submit a Brunzell Affidavit and Memorandum of Fees and Costs leaving a blank in the order for the Court to enter an amount. Said amount shall be REDUCED to JUDGMENT collectable by any legal means bearing the legal rate of interest until paid in full.
3. Mr. Fontano shall prepare the order and submit to the Court for signature.

CLERK S NOTE: On 07/30/2021 a copy of the Court s Minute Order was provided to Defendant and to Plaintiff s Attorney of record via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (qm)

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	08/02/2021	Page 45 of 45	Minutes Date:	March 30, 2016
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APMEM

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Nevada Bar No. 008530
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Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

CAPUCINE YOLANDA HOLMES,

Plaintiff,

vs.

WILBERT ROY HOLMES,

Defendant.

CASE NO.: D-15-523582-D

DEPT NO.: J

AMENDED PRE-TRIAL MEMORANDUM

The plaintiff's Pretrial Memorandum is amended as follows:

1. Six additional exhibits are added to the list of exhibits.

V. LIST OF EXHIBITS

- | | | | | |
|-------------------------------------|--|---|--|--|
| <input checked="" type="checkbox"/> | 16. Exhibit P. Henderson Police Department Incident Report 6/9/2016 | | | |
| <input checked="" type="checkbox"/> | 17. Exhibit Q. Lien on Property of Creditor William H. George Case No.: A-15-722160-F | X | | |
| <input checked="" type="checkbox"/> | 18. Exhibit R. Lien on Property HOA violation failure to use Property single family uses only. | X | | |
| <input checked="" type="checkbox"/> | 19. Exhibit S. Affidavit of Capucine Holmes to Chief Judge Tyrell. | X | | |
| <input checked="" type="checkbox"/> | 20. Exhibit T. Response to Letter to San Rafeal HOA | X | | |
| <input checked="" type="checkbox"/> | 21. Exhibit U. Advertisement for listing of home for rent. | X | | |

DATED: January 5, 2017

Submitted by: 

~~22. Justin Wadinger report~~

23. Justin Wadinger report

CASE NO D-15-523582-0

OFFERED

[illegible]

D15 523 582D

IX. LIST OF EXHIBITS

I intend to introduce the following exhibits at trial:

1. ~~EXHIBIT A~~ My proposed distribution of property and debts is attached as
2. ~~EXHIBIT B~~ Recorded deeds and documents showing ownership in real property
3. ~~EXHIBIT C~~ Letter document showing reverse mortgage required release from plaintiff
4. ~~EXHIBIT D~~ Court required certified property appraisals
5. ~~EXHIBIT E~~ Violated fiduciary duties and immoral actions resulting in financial loss and hardship
6. ~~EXHIBIT F~~ see exhibit E documents..also
7. ~~EXHIBIT G~~ Detail from IED case filed in NLV court
8. ~~EXHIBIT H~~ Letter from Nevada Legal Aid Center

OFFERED	OBJECTION	ADMITTED

X. UNUSUAL ISSUES TO BE PRESENTED AT TRIAL

The following unusual legal or factual issues may be presented at trial: _____

These would be Exhibits E and F showing "some of !" the plaintiffs adulterous extramarital affairs and activities that factually date back to 2004. These "bisexual affairs" and events has caused marital discourse and financial and mental stress upon myself. Thusly the true reason for the dissolution of a happy marriage.

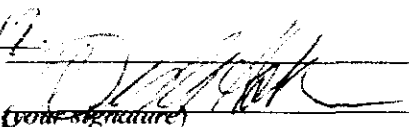
EXHIBIT ~~A~~ 7/3/02 APPRAISAL
 11 ✓ C2 6/5/14 APPRAISAL

X	X	
X	X	1/10/17

XI. LENGTH OF TRIAL

This trial should take approximately ____ 1 ____ x ☒ hours / ☐ days.

DATED January 2, 2017 . 2017

Submitted By: 

(print your name)

WILBERT R. HOLMES

Defendant's

EXHIBITS

CASE NO D-15-523582-U

ADMITTED

OFFERED

[illegible]



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

WILBERT R. HOLMES
3980 S. NELLIS BLVD.
LAS VEGAS, NV 89183

DATE: August 2, 2021
CASE: D-15-523582D

RE CASE: CAPUCINE YOLANDA HOLMES vs. WILBERT ROY HOLMES

NOTICE OF APPEAL FILED: August 1, 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)**
- ☒ \$500 – 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
- ☒ Order
- ☒ Notice of Entry of Order

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 } SS:

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; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

CAPUCINE YOLANDA HOLMES,

Plaintiff(s),

vs.

WILBERT ROY HOLMES,

Defendant(s),

Case No: D-15-523582-D

Dept No: X

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 2 day of August 2021.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk