

1 RESULT IN THE REQUESTED RELIEF BEING GRANTED BY THE COURT
2 WITHOUT HEARING PRIOR TO THE SCHEDULED HEARING DATE.

3 PLEASE TAKE NOTICE that the undersigned will bring the foregoing
4 *Motion* on for hearing before the Honorable Denise L. Gentile, in Dept. F,
5 Courtroom #3 of the Eighth Judicial District Court, Family Division located at 601
6 N. Pecos Road, Las Vegas, Nevada on the ____ day of _____, 2019, at
7 _____ a.m./p.m. of said day, or as soon thereafter as counsel may be
8 heard.
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11 COMES NOW the Defendant, Amanda Reed, by and through her attorney,
12 Carrie J. Primas, Esq., of Hanratty Law Group, and hereby moves the Court for an
13 order granting the following:
14

- 15 1. Issuing an Order to Show Cause why Plaintiff should not be held in
16 contempt for Court for violation of Order filed September 19, 2018;
- 17 2. For leave to amend Defendant's Counterclaim for Divorce;
- 18 3. Modifying Custody so as to award Defendant with primary physical
19 custody;
- 20 4. Continue trial currently set for September 12, 2019; and
- 21 5. Awarding Defendant attorney fees and costs.

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1 This Motion is made and based on the attached Points and Authorities,
2 Declaration of Amanda Reed, all papers and pleadings on file herein and argument
3 of counsel at the hearing on this matter.
4

5 DATED this 25th day of July, 2019.

6 **HANRATTY LAW GROUP**

7 
8 _____
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1 extracurricular activities does not require that the activities be previously agreed
2 upon between the parties.

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4 B. Violations of Orders

5 During the parties' marriage, Jacob exhibited concerning behavior that
6 caused the parties to agree that he would not spend the night at their house, be
7 unattended with the minor children, or ever be in a room with a closed door. That
8 behavior included harming and killing animals, writing about raping women, and
9 writing about killing Amanda and Devin. This behavior, as well as their
10 agreements regarding Jacob during their marriage, are what led to the provision
11 regarding Jacob as noted above.
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14 Despite this provision, Jacob is now living with Devin. The children have
15 told Amanda about numerous overnights with Jacob, then on June 17, 2019, both
16 children told Amanda that Jacob and Devin's son, Thomas, moved in with them.
17 The children have also told Amanda that Devin has Jacob babysit Shawn when he
18 takes Abby to cheerleading. On or about July 4, 2019, when Amanda picked up the
19 minor children after Devin's custodial time, Abby told her that Jacob lives with
20 Devin. The minor children have also told Amanda that they no longer have a
21 bedroom at Devin's home, because Jacob lives there and sleeps in their room, so
22 they share a bed with Devin. The children have also told Amanda that if they kick
23 their dad while they are sleeping, he screams at them and tells them that if they
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1 don't stay still, he is going to make them sleep with Jacob. Further, Abby has told
2 Amanda that Shawn sucks on and licks Jacob's arm and neither Devin nor Jacob
3 discourage this behavior.
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5 Devin has also violated the Mutual Behavior Order as well as the order
6 regarding transporting the minor children to extra-curricular activities. Regarding
7 the Mutual Behavior Order, Devin has violated the following provisions:
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9 2. You shall avoid unnecessary contact with the other party's family, friends,
10 associates, neighbors, co-workers, "significant other," etc., and you shall not
11 initiate conflicts with them.

12 4. You shall not contact any person associated with the other party...for
13 purposes of discussing court proceedings or making negative/disparaging
14 allegations about the other party.

15 9. You shall not provide, either directly or through third parties, copies of any
16 unsolicited documents (personal letters, court pleadings, etc.) to anyone
17 associated with a party (family members, neighbors, employers, etc.) for the
18 intended purpose of casting the other party in a negative light.

19 On or about March 9, 2019, Amanda learned that her cousin, Laurlyn, who
20 has been the babysitter for the minor children, had recently separated from her
21 husband due to an act of domestic violence perpetrated by her husband. She also
22 learned that her cousin's immediate family believes that she has a drug addiction.
23 As a result, Amanda sent a message to Devin on Our Family Wizard stating that she
24 does not want Laurlyn to babysit the children anymore as she is concerned for their
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1 safety due to these recent events. Devin then forwarded Amanda's Our Family
2 Wizard to Laurlyn, in direct violation of the provisions noted above¹.

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4 Devin also refuses to take Abby to her extracurricular activities any time he
5 is unhappy with Amanda. On April 29, 2019, Amanda sent Devin a message on
6 Our Family Wizard asking if he is willing to take Abby to Girl Scouts on May 7
7 and May 21, which were his custodial days and days on which Abby had Girl Scout
8 meetings. Devin stated that he would take her². Amanda told Devin that the
9 meeting was from 6:30 to 7:30, to which Devin responded that he had a class that
10 day until 7:30, but offered to allow Amanda to keep Abby with her after school on
11 those days if she wanted to take her to the meetings³.

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14 On May 7, 2019, Amanda did keep Abby after school and take her to Girl
15 Scouts. Then on May 11, 2019, Devin booked a trip to South Carolina, to return to
16 Las Vegas on May 18, 2019. Devin subsequently realized that he would be gone
17 for Abby's Kindergarten graduation on May 15, 2019, and had to cancel his trip.
18 He blamed Amanda for him missing his trip, and subsequently refused to allow
19 Abby to attend her activities. On May 18, 2019, Amanda sent Devin a message on
20 Our Family Wizard informing him of a mandatory meeting for Abby's cheerleading
21 at the same time as Abby's therapy appointment, and stating that Amanda would be
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25 ¹ A copy of the communication is attached as **Exhibit "A"** in the Exhibits in Support of
26 Defendant's Motion and is hereby fully incorporated herein by reference.

27 ² A copy of the communication is attached as **Exhibit "B"** in the Exhibits in Support of
28 Defendant's Motion and is hereby fully incorporated herein by reference.

³ A copy of the communication is attached as **Exhibit "C"** in the Exhibits in Support of
Defendant's Motion and is hereby fully incorporated herein by reference.

1 able to change the therapy appointment to May 21, 2019, the same day as Abby's
2 Girl Scout meeting, if Devin would still agree to Amanda keeping Abby after
3 school that day to take her to therapy and then Girl Scouts. Devin, still angry that
4 he would be missing his trip due to his own actions, indicated that he was not in
5 agreement with anything in Amanda's message⁴. On May 21, 2019, Amanda sent
6 another Our Family Wizard message asking whether Devin would be taking Abby
7 to Girl Scouts, to which he responded, "please do not schedule events on my time⁵."
8 He did not take Abby to Girl Scouts that day.

11 II.

12 Legal Analysis

13 A. *This Court should enter an Order to Show Cause why Devin should not* 14 *be held in contempt.*

15 Amanda requests that this Court take action to require Devin to comply with
16 the law and this Court's Orders by issuing an Order to Show Cause as to why he
17 should not be held in contempt for his violations of this Court's Orders.
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19 NRS 22.010 states:

20 **22.010 Acts or omissions constituting contempt.** The
21 following acts or omissions shall be deemed contempt:
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23 1. Disorderly, contemptuous or insolent behavior toward the
24 judge while he is holding court, or engaged in his judicial duties at
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26 ⁴ A copy of the communication is attached as **Exhibit "D"** in the Exhibits in Support of
27 Defendant's Motion and is hereby fully incorporated herein by reference.

28 ⁵ A copy of the communication is attached as **Exhibit "E"** in the Exhibits in Support of
Defendant's Motion and is hereby fully incorporated herein by reference.

1 chambers, or toward masters or arbitrators while sitting on a reference
2 or arbitration, or other judicial proceeding.

3 2. A breach of the peace, boisterous conduct or violent
4 disturbance in the presence of the court, or in its immediate vicinity,
5 tending to interrupt the due course of the court or judge at chambers.

6 3. **Disobedience or resistance to any lawful writ, order,**
7 **rule or process issued by the court or judge at chambers...**
(emphasis added.)

8 The penalties for Contempt as set forth above are found, in part, under NRS
9 22.100 which states:

10 **22.100 Penalty for contempt.**

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12 1. Upon the answer and evidence taken, the court or judge or jury, as
13 the case may be, shall determine whether the person proceeded against
14 is guilty of the contempt charged.

15 2. Except as otherwise provided in NRS 22.110, if a person is found
16 guilty of contempt, a fine may be imposed on the person not exceeding
\$500 or the person may be imprisoned not exceeding 25 days, or both.

17 3. In addition to the penalties provided in subsection 2, if a person is
18 found guilty of contempt pursuant to subsection 3 of NRS 22.010, the
19 court may require the person to pay to the party seeking to enforce the
20 writ, order, rule or process the reasonable expenses, including, without
21 limitation, attorney's fees, incurred by the party as a result of the
contempt.

22 Nevada law requires that an order for civil contempt must be grounded
23 upon one's disobedience of an order that spells out "the details of compliance in
24 clear, specific and unambiguous terms so that such person will readily know
25 exactly what duties or obligations are imposed on him." *Southwest Gas Corp. V.*
26

1 *Flintkote Company-U.S. Lime Division*, 99 Nev. 127, 131, 659 P.2d 861 (1983)
2 quoting *Ex Parte Slavin*, 412 S.W.2d 43, 44 (Tex.1967). This Court's Order
3 clearly meets the standard outlined in *Southwest Gas*.
4

5 This Court's Orders are clear and unambiguous. The Order from the August
6 14, 2018 hearing, filed on September 19, 2018, is clear that there shall be no
7 overnights for Devin's other child, Jacob, during his parental timeshare with the
8 minor children at issue. Further, the Mutual Behavior Order is clear regarding
9 each party's communication with individuals associated with the other party, and
10 the Order from the October 16, 2018, hearing, is clear regarding each party's
11 obligation to transport the children to their extracurricular activities during their
12 respective custodial time.
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15 Despite these Orders being undoubtedly clear, Devin has not only allowed
16 his son, Jacob, to spend the night during his custodial time, Jacob is now living at
17 Devin's home and the minor children no longer have a bedroom as a result.
18 Devin has clearly violated the Mutual Behavior Order by forwarding a message
19 from Amanda, regarding her fear for the children's safety when in the care of her
20 own cousin, to that cousin. Finally, he has refused to transport Abby to her
21 extracurricular activities during his time, in violation of the order that he do so.
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24 B. *The Court should grant Amanda's request for leave to amend her*
25 *Counterclaim for Divorce.*

26 Pursuant to NRCP 15(a)(1), a party may amend its pleadings once as a matter
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1 of course within 21 days after serving it or 21 days after service of a responsive
2 pleading or motion. In all other cases, a party may amend its pleading only with the
3 opposing party's written consent or the court's leave. Further, NRCP 15(a)(2)
4 dictates that "the court should freely give leave when justice so requires." Other
5 provisions of NRCP 15 allow amendments as late as during and after trial, and
6 NRCP 15(b)(1) specifically dictates that "[t]he court should freely permit an
7 amendment when doing so will aid in presenting the merits and the objecting party
8 fails to satisfy the court that the evidence would prejudice that party's action or
9 defense on the merits."

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13 As this Court is aware, the granting or denying of a request to amend is
14 within the sound discretion of the court. However, this discretion should be
15 exercised in favor of allowing such amendments as the Nevada Supreme Court
16 requires a court to have a justifying reason if the amendment is denied. *Adamson v.*
17 *Bowker*, 85 Nev. 115 (1969). Indeed, courts have long recognized "the strong
18 policy in favor of allowing amendment." *Lockheed Martin Corp. v. Network*
19 *Solutions, Inc.*, 175 F.R.D. 640, 643 (C.D. Cal. 1997). "Where there is a lack of
20 prejudice to the opposing party and the amended complaint is obviously not
21 frivolous, or made as a dilatory maneuver in bad faith, it is an abuse of discretion to
22 deny such a motion. *Howey v. United States*, 481 F.2d 1187, 1190-1191 (9th Cir.
23 1973). Lastly, "[The Courts] differentiate between pleadings attempting to amend
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1 claims from those seeking to amend parties. **Amendments seeking to add claims**
2 **are to be granted more freely than amendments adding parties.”** *Union P.R.*
3 *Co. v. Nevada Power Co.*, 950 F.2d 1429, 1432 (9th Cir. 1991) (emphasis added).
4

5 In the instant case, Amanda is requesting leave of court to amend her
6 Counterclaim for Divorce to include certain intentional torts, specifically Assault
7 and Battery, Rape, False Imprisonment, Intentional Infliction of Emotional
8 Distress, and Negligent Infliction of Emotional Distress. These claims are being
9 brought because during the marriage, Devin committed domestic violence
10 numerous times, including choking, hitting, throwing items, and raping Amanda.
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13 As the Court is aware, undersigned counsel did not initially represent
14 Amanda. Amanda was advised by her initial counsel that, despite these numerous
15 incidences of domestic violence, it was in the best interest of her and the minor
16 children to stipulate to joint physical custody. As a result, Amanda did not reveal
17 the extent of the domestic violence to undersigned counsel until recently.
18 Undersigned counsel has since learned not only of the extensive domestic violence,
19 but also of the existence of recordings, medical records, and a myriad of other
20 evidence related to Devin’s domestic violence against Amanda.
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23 NRCP 18 expressly allows the joinder of "as many claims, legal or equitable
24 or both as the party has against an opposing party." In this case, the tortious conduct
25 of the Defendant is relevant and related. The legislature has mandated that this
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1 court address the history of domestic violence and abuse of the parties, and the
2 claims being brought against the Plaintiff not only substantiate such despicable
3 conduct, the Plaintiff must be held accountable for his actions. There is both factual
4 and legal basis for this court to grant Amanda leave to file her Amended
5 Counterclaim.
6

7 In accordance with EDCR 2.30 a copy of the proposed amended pleading is
8 attached herewith as **Exhibit "F"** in the Exhibits in Support of Defendant's Motion
9 and is hereby fully incorporated herein by reference.
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11 **C. Custody should be modified so as to award Amanda with primary**
12 **physical custody.**

13 Where joint legal and physical custody has previously been awarded to the
14 parties, the party seeking the modification must prove by a preponderance of the
15 evidence that the best interests of the child would be served by granting the
16 requesting party primary or sole physical custody. *Truax v. Truax*, 110 Nev. 437
17 (1994). Because the principals of *res judicata* still apply, *Truax* does not provide
18 litigants with the ability to re-litigate the issues based on the same set of facts or
19 circumstances. However, the Nevada Supreme Court has held in *Castle v.*
20 *Simmons*, 86 P.3d 1042 (2004), that "a party seeking to change custody may
21 introduce evidence of domestic violence if he or she **or the district court** was
22 unaware of the existence or extent of the conduct when the prior custody order
23 was entered." *Id.* at 1044, emphasis added.
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1 Pursuant to NRS 125C.230(1), where a court has found by clear and
2 convincing evidence that either parent or any other person seeking custody of a
3 child has engaged in one or more acts of domestic violence against the child, a
4 parent of the child or any other person residing with the child, there arises a
5 rebuttable presumption that sole or joint custody of the child by the perpetrator of
6 the domestic violence is not in the best interest of the child. Moreover, in all
7 cases where the Court must determine physical custody of a minor child, the sole
8 consideration of the Court must be the best interest of the child, which is
9 determined by considering the statutory provisions of NRS 125C.0035(4) to
10 determine whether modification serves the child's best interest.
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14 As noted above, Devin engaged in numerous acts of domestic violence
15 against Amanda during the parties' marriage, the extent of which was never
16 presented to this Court. As Amanda was advised by her prior counsel that she
17 should stipulate to joint physical custody, the extent of the domestic violence was
18 never presented to the Court nor was it divulged to undersigned counsel until
19 immediately before the instant Motion was prepared. As was the case in *Castle*,
20 Amanda is prepared to present extensive evidence, including recordings, medical
21 records, and statements from individuals to whom Amanda disclosed the domestic
22 violence, to prove by clear and convincing evidence that the domestic violence
23 did occur, and was often witnessed by the minor children.
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1 In addition to the rebuttable presumption that will arise when Amanda
2 presents evidence of the domestic violence to the Court, and evaluation of the best
3 interest factors, outlined below, clearly shows that it is in the children's best
4 interest that Amanda be awarded primary physical custody.
5

6 (a) The wishes of the child if the child is of sufficient age and capacity to
7 form an intelligent preference as to his or her custody.

8 The minor child are only four (4) and six (6) years old, and are not of
9 sufficient age and capacity to form an intelligent preferences as to their custody.
10 Further, the oldest child, Abby, has indicated to Amanda on numerous occasions
11 that she is afraid of Devin. As such, any opinion rendered by Abby would likely
12 be informed more by her fear of Devin than her actual preference, even if she
13 were old enough to form an intelligent preference, which she is not.
14

15 (c) Which parent is more likely to allow the child to have frequent
16 associations and a continuing relationship with the noncustodial parent.

17 Amanda has never withheld the minor children from Devin, despite his
18 history of domestic violence, continued violations of the existing orders, and even
19 instances of him picking up the minor children without appropriate child seats in
20 his car.
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22 (d) The level of conflict between the parents.

23 The conflict between the parties is high. Devin continues to mentally abuse
24 and manipulate Amanda, using the children as pawns to get from her what he
25 wants. As noted above regarding extracurricular activities, Devin will refuse to
26 take the children or otherwise comply with the Court's orders or agreements
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1 between the parties if he is upset with Amanda or perceives that she has somehow
2 wronged him.

3 (e) The ability of the parents to cooperate to meet the needs of the child.

4 While the needs of the children are met during Amanda's custodial time,
5 and Devin will argue the same during his custodial time, it is not as a result of the
6 parties cooperating. As has been briefed by this Court previously, the children's
7 hygiene is often not properly maintained during Devin's custodial time, leading to
8 numerous infections and other illnesses, and Amanda is the parent who primarily
9 takes the children to the doctor as a result of Devin's negligence.

12 (f) The mental and physical health of the parents.

13 Amanda does not have any mental or physical health concerns. Devin
14 continues to violate this Court's orders, play games with the children, and act
15 contrary to their best interest, clearly with the intent of antagonizing Amanda. As
16 previously addressed and currently pending on appeal, Amanda believes an
17 evaluation of required to determine the full extent of Devin's mental health.

20 (g) The physical, developmental and emotional needs of the child.

21 Neither of the children have any significant physical, developmental, or
22 emotional needs. However, Abby and Shawn are only four (4) and six (6) years
23 old and still require significant care from a parent on a consistent basis.

25 (h) The nature of the relationship of the child with each parent.

26 The children love both of their parents. However, as noted above, the
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1 children are afraid of Devin due to the domestic violence they have witnessed and
2 the fact that he is quick to anger and threaten them to behavior that is common to
3 children, i.e. moving around in their sleep.
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5 (i) The ability of the child to maintain a relationship with any sibling.

6 Devin has three (3) children from a previous relationship. Two (2) of these
7 children are no longer minors, and Devin does not have consistent visitation with
8 the third. Further, pursuant to the Order from the August 14, 2018, hearing,
9 Devin's child, Jacob, who is no longer a minor, shall have no overnights during
10 Devin's custodial time with the minor children.
11

12 (j) Any history of parental abuse or neglect of the child or a sibling of the
13 child.

14 As previously briefed before this Court and noted above, Devin does not
15 care for the children as they should be cared for. Devin fails to bathe the children
16 on a regular basis or give them their medicine. On numerous occasions, Amanda
17 will receive the minor children back from Devin and have to take them to urgent
18 care as they are sick. Devin doesn't communicate with Amanda when the
19 children are ill. Devin doesn't respond to Amanda's inquiries about the children's
20 well-being when they are in his care. Moreover, Devin has two (2) substantiations
21 from CPS regarding child abuse, specifically a substantiation in 2006 for
22 Domestic Violence against two (2) of his sons and a substantiation in 2009 for
23 physical abuse/bruising to his son Jacob.
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27 (k) Whether either parent or any other person seeking custody has engaged
28 in an act of domestic violence against the child, a parent of the child or any

1 other person residing with the child.

2 As noted above and the catalyst for the instant request to modify custody,
3 there have been numerous incidents of domestic battery between the parties,
4 including Devin attempting to choke and rape Amanda. In addition to the physical
5 abuse, there is continued mental and verbal abuse and Devin, even throughout the
6 instant litigation. Until Devin can get his anger and rage towards Amanda under
7 control, Amanda feels like he is a ticking time-bomb. Amanda is prepared to
8 introduce recordings of Devin's domestic violence against her at the time of trial in
9 this matter.
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13 (I) Whether either parent or any other person seeking custody has
14 committed any act of abduction against the child or any other child.

15 This factor is not relevant.

16 The above analysis of the relevant statutory factors shows that it is in the
17 minor children's best interest for Amanda to be awarded primary physical
18 custody.
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20 D. Trial currently scheduled for September 12, 2019, should be continued.

21 Pursuant to *EDCR 7.30*, a Party may move for continuance of a trial at least
22 one (1) day prior to trial based upon a showing of good cause as set forth in an
23 affidavit of Counsel. Although case law does not set forth specific guidelines for
24 good cause, the United States Supreme Court has held in criminal matters if the
25 movant establishes a continuance will make a difference in the case then the
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1 continuance should be granted. *Lee v. Kemna*, 534 U.S. 362, 122 S. Ct. 877 (2002).

2 As the Court is aware, there is currently an appeal pending related to the
3 underlying custody orders and the Court's refusal to allow a custodial evaluation
4 and trial on the issue of custody. Further, as the instant Motion outlines, there is
5 further basis at this time to modify custody, given the history of domestic violence
6 and Devin's continuous contemptuous actions. As this Court cannot resolve the
7 issues of property and debt and finalize the parties' divorce without first resolving
8 custody⁶, the trial set for September 12, 2019, must be continued to allow time for
9 the issue of custody to be fully resolved.
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13 E. *Devin should be ordered to pay Amanda's attorney fees and costs*
14 *related to this action.*

15 The Court is authorized to award fees pursuant to NRS 18.010, which
16 states:

- 17 1. The compensation of an attorney and counselor for his services is
18 governed by agreement, express or implied, which is not restrained by
19 law.
20 2. In addition to the cases where an allowance is authorized by specific
21 statute, the court may make an allowance of attorney's fees to a prevailing
22 party:
23 (a) When he has not recovered more than \$20,000; or
24 (b) Without regard to the recovery sought, when the court finds that
25 the claim, counterclaim, cross-claim or third-party complaint or
defense of the opposing party was brought or maintained without
reasonable ground or to harass the prevailing party. The court shall
liberally construe the provisions of this paragraph in favor of

26 ⁶ "Although a trial court is authorized to conduct separate evidentiary hearings on any issue, that
27 court is without jurisdiction to enter a final decree of divorce without contemporaneously
28 disposing of the community property of the parties." *Gojack v. Second Jud. Dist. Ct.*, 596 P.2d
237, 239 (1979).

1 awarding attorney's fees in all appropriate situations. It is the intent of
2 the Legislature that the court award attorney's fees pursuant to this
3 paragraph and impose sanctions pursuant to Rule 11 of the Nevada
4 Rules of Civil Procedure in all appropriate situations to punish for and
5 deter frivolous or vexatious claims and defenses because such claims
6 and defenses overburden limited judicial resources, hinder the timely
7 resolution of meritorious claims and increase the costs of engaging in
8 business and providing professional services to the public.

9 3. In awarding attorney's fees, the court may pronounce its decision on
10 the fees at the conclusion of the trial or special proceeding without written
11 Motion and with or without presentation of additional evidence.

12 Amanda has had to come before this Court yet again to address Devin's
13 continued violations of this Court's orders. Amanda respectfully requests an award
14 of attorney's fees consistent with the actual fees incurred by Amanda in preparing
15 this Motion, in preparing any Reply that may be necessary, and in appearing at the
16 hearing on this matter.

17 Further, in Brunzell v. Golden Gate National Bank, 85 Nev. 345, 455 P.2d 31
18 (1969), the Nevada Supreme Court directed the District Court to consider the
19 following factors in determining the amount of attorney's fees to:

20 Qualities of the advocate;
21 Character and difficulty of work performed;
22 Work actually performed; and
23 Result obtained.

24 Undersigned Counsel offers that she regularly practices in the area of family
25 law and has regularly been involved in the area of family law since licensing and
26 remains in good standing. Undersigned Counsel takes the amount of required
27 Continuing Legal Education Courses each year. Therefore, Undersigned Counsel
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1 possesses the qualities of an advocate contemplated in Brunzell.

2 Therefore, based upon NRS 18.010 and the Brunzell factors, Amanda should
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4 be awarded in attorney fees and costs related to this Motion. Amanda's counsel will
5 submit an affidavit under these factors following the Judge's decision in this matter.
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III.

Conclusion

Therefore, based upon the foregoing, Amanda respectfully requests this court to enter an order:

1. Issuing an Order to Show Cause why Plaintiff should not be held in contempt for Court for violation of Order filed September 19, 2018;
2. For leave to amend Defendant's Counterclaim for Divorce;
3. Modifying Custody so as to award Defendant with primary physical custody;
4. Continuing trial currently set for September 12, 2019; and
5. Awarding Defendant attorney fees and costs.
6. For such other and further relief as the Court deems just and proper.

DATED this 25th day of July, 2019.

HANRATTY LAW GROUP



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DECLARATION OF AMANDA REED

STATE OF NEVADA)
)ss:
County of Clark)

I, Amanda Reed, am the Defendant in the above referenced matter and have read the foregoing Motion, and the factual averments it contains are true and correct to the best of my knowledge, except as to those matters based on information and belief, and as to those matters, I believe them to be true. Those factual averments contained in the referenced filing are incorporated herein as if set forth in full.

Dated this _____ day of July, 2019.



Amanda Reed

MOFI

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

DEVIN REED
Plaintiff/Petitioner
v.
AMANDA REED
Defendant/Respondent

Case No. D-18-568055-D
Dept. F
**MOTION/OPPOSITION
FEE INFORMATION SHEET**

Notice: Motions and Oppositions filed after entry of a final order issued pursuant to NRS 125, 125B or 125C are subject to the reopen filing fee of \$25, unless specifically excluded by NRS 19.0312. Additionally, Motions and Oppositions filed in cases initiated by joint petition may be subject to an additional filing fee of \$129 or \$57 in accordance with Senate Bill 388 of the 2015 Legislative Session.

Step 1. Select either the \$25 or \$0 filing fee in the box below.

- ☐ **\$25** The Motion/Opposition being filed with this form is subject to the \$25 reopen fee.
-OR-
☒ **\$0** The Motion/Opposition being filed with this form is not subject to the \$25 reopen fee because:
☒ The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.
☐ The Motion/Opposition is being filed solely to adjust the amount of child support established in a final order.
☐ The Motion/Opposition is for reconsideration or for a new trial, and is being filed within 10 days after a final judgment or decree was entered. The final order was entered on _____.
☐ Other Excluded Motion (must specify) _____.

Step 2. Select the \$0, \$129 or \$57 filing fee in the box below.

- ☒ **\$0** The Motion/Opposition being filed with this form is not subject to the \$129 or the \$57 fee because:
☒ The Motion/Opposition is being filed in a case that was not initiated by joint petition.
☐ The party filing the Motion/Opposition previously paid a fee of \$129 or \$57.
-OR-
☐ **\$129** The Motion being filed with this form is subject to the \$129 fee because it is a motion to modify, adjust or enforce a final order.
-OR-
☐ **\$57** The Motion/Opposition being filing with this form is subject to the \$57 fee because it is an opposition to a motion to modify, adjust or enforce a final order, or it is a motion and the opposing party has already paid a fee of \$129.

Step 3. Add the filing fees from Step 1 and Step 2.

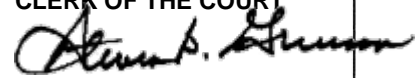
The total filing fee for the motion/opposition I am filing with this form is:

☒ **\$0** ☐ **\$25** ☐ **\$57** ☐ **\$82** ☐ **\$129** ☐ **\$154**

Party filing Motion/Opposition: Defendant Date 7-25-19

Signature of Party or Preparer Kari Ellis

APPX0489



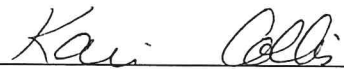
CSERV
HANRATTY LAW GROUP
Kari J. Hanratty, Esq.
State Bar of Nevada No. 7677
1815 Village Center Circle, Suite 140
Las Vegas, Nevada 89134
PH: (702) 821-1379
FAX: (702) 870-1846
EMAIL: attorneys@hanrattylawgroup.com
Attorneys for Defendant, Amanda Reed

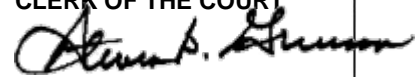
DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

DEVIN REED,	)	Case No: D-18-568055-D
	)	Dept No: F
Plaintiff,)	
)	
v.	)	CERTIFICATE OF ELECTRONIC
	)	SERVICE
AMANDA REED,)	
)	
Defendant.)	

I hereby certify that I am an employee of Hanratty Law Group, and on the 26th day of July, I served a true and correct copy of the *Ex Parte Application for an Order Shortening Time on Defendant's Motion for an Order to Show Cause Why Plaintiff Should Not Be Held in Contempt of Court; for Leave to Amend Counterclaim; for a Modification of Custody; to Continue Trial; and for Attorney Fees and Costs* by using the Wiz-Net E-Service addressed to the following email registered on the E-Service List for this case as follows:

Louis C. Schneider, Esq.
lcsllawllc@gmail.com
Attorney for Plaintiff

By: 
Employee of Hanratty Law Group



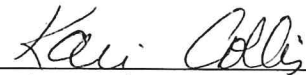
1 CSERV
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6 Las Vegas, Nevada 89134
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8 FAX: (702) 870-1846
9 EMAIL: attorneys@hanrattylawgroup.com
10 Attorneys for Defendant, Amanda Reed

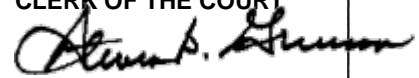
8 DISTRICT COURT
9 FAMILY DIVISION
10 CLARK COUNTY, NEVADA

11 DEVIN REED,	)	Case No: D-18-568055-D
	)	Dept No: F
12 Plaintiff,)	
)	
13 v.	)	CERTIFICATE OF ELECTRONIC
	)	SERVICE
14 AMANDA REED,)	
)	
15 Defendant.)	
)	

16
17 I hereby certify that I am an employee of Hanratty Law Group, and on the 25th day of
18 July, I served a true and correct copy of the *Exhibits in Support of Defendant's Motion for an*
19 *Order to Show Cause Why Plaintiff Should Not Be Held in Contempt of Court; for Leave to*
20 *Amend Counterclaim; for a Modification of Custody; to Continue Trial; and for Attorney Fees*
21 *and Costs* by using the Wiz-Net E-Service addressed to the following email registered on the E-
22 Service List for this case as follows:

23 Louis C. Schneider, Esq.
24 lcsllawllc@gmail.com
25 Attorney for Plaintiff

26 By: 
27 Employee of Hanratty Law Group
28



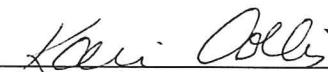
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Attorneys for Defendant, Amanda Reed

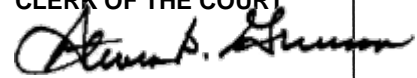
DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

DEVIN REED,	)	Case No: D-18-568055-D
	)	Dept No: F
Plaintiff,)	
)	
v.	)	CERTIFICATE OF ELECTRONIC
	)	SERVICE
AMANDA REED,)	
)	
Defendant.)	

I hereby certify that I am an employee of Hanratty Law Group, and on the 26th day of July, I served a true and correct copy of the *Notice of Hearing* by using the Wiz-Net E-Service addressed to the following email registered on the E-Service List for this case as follows:

Louis C. Schneider, Esq.
lcsllawllc@gmail.com
Attorney for Plaintiff

By: 
Employee of Hanratty Law Group



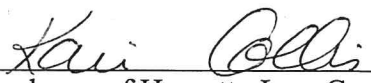
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Kari J. Hanratty, Esq.
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DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

DEVIN REED,)	Case No: D-18-568055-D
	)	Dept No: F
Plaintiff,)	
)	
v.	)	CERTIFICATE OF ELECTRONIC
	)	SERVICE
AMANDA REED,)	
)	
Defendant.)	

I hereby certify that I am an employee of Hanratty Law Group, and on the 25th day of July, I served a true and correct copy of the *Notice of Motion and Motion for an Order to Show Cause Why Plaintiff Should Not Be Held in Contempt of Court; for Leave to Amend Counterclaim; for a Modification of Custody; to Continue Trial; and for Attorney Fees and Costs* by using the Wiz-Net E-Service addressed to the following email registered on the E-Service List for this case as follows:

Louis C. Schneider, Esq.
lcsllawllc@gmail.com
Attorney for Plaintiff

By: 
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