

1 Amanda has a history of being prescribed very powerful pain killers. Her  
2 prescription history shows that from 2017 through 2019 she was being prescribed  
3 90 15mg oxycodone, 30 15mg morphine sulfate, and 30 15mg meloxicam each  
4 month. According to WebMD the oxycodone and morphine sulfate are both  
5 opioids and the meloxicam is an NSAID. As stated, it is believed that Jason  
6 Debose helps Amanda sell her pills for additional income. If Amanda is not selling  
7 the pills, her prescription history shows she is taking 60mg of opioids a day. That  
8 is an extraordinary amount of narcotics for her to be taking each day. She certainly  
9 could not drive the children around (as she currently does) and it boggles the mind  
10 to think that she could teach a classroom of elementary school children with that  
11 much medication in her system. If she were to stop taking that amount of opioids  
12 each day, she would likely require medical intervention in order to quit.<sup>1</sup> All of  
13 these factors lead one to believe that Amanda is not actually taking the medication,  
14 but selling it. The Court should consider having her tested. If she tests positive,  
15 that would confirm she is taking opioids. If she tests negative, that would indicate  
16 she is likely selling the medication.

21 In addition to Amanda's questionable judgment placing the children at risk,  
22 she also calls the police and Child Protective Services (CPS) on Devin on a regular  
23 basis. Exhibit 13 is just three (3) of the 15 calls to the Las Vegas Metropolitan  
24 Police Department ("metro") that Amanda has made in the last 18 months. At this  
25  
26

27 <sup>1</sup> "Prescription opioid use, even when used as prescribed by a doctor can lead to a substance use disorder,  
28 which takes the form of addiction in severe cases." *Prescription Opioids DrugFacts*,  
www.drugabuse.gov, last visited June 29, 2020.

1 point Devin is friendly with the police officers that patrol his neighborhood, they  
2 recognize him and sympathize with him when Amanda sends them out to his  
3 house. It is preposterous that Amanda would behave in such a way. It may very  
4 well be that the constant calls to Metro and CPS are tied to Amanda's prescription  
5 drug use.  
6

7 Her calls to CPS are just as bad. She has now made at least seven (7) calls  
8 to CPS in the last 18 months.<sup>2</sup> The calls have all been unsubstantiated. The latest  
9 call was made just recently on June 22, 2020. Amanda got the children back from  
10 Devin and took Abby to Summerlin Hospital, claiming Abby's face and eye were  
11 swollen from being "flicked." (See Exhibits 14 and 15.) Devin had Abby that  
12 weekend and there was nothing wrong with her eye or cheek and she was not  
13 "flicked." Exhibit 16 is a picture of her in the pool from that weekend and it is  
14 clear she does not have any bruising on her face.  
15  
16  
17

18 As discussed at the last hearing of this matter, Amanda has used her position  
19 as a teacher at the children's school to further alienate Devin. She takes the  
20 children on his mornings and changes their hair and clothing, as though their father  
21 is incapable of caring for them. She has also taken Abby and allowed her to hide  
22 in her (Amanda's) classroom when Devin tries to pick her up. Though Amanda  
23 claims that Abby was hiding from Devin in the hallway, she was actually inside  
24 Amanda's classroom with Amanda and Amanda's father, with the door locked.  
25  
26

---

27 <sup>2</sup> Amanda has filed ANOTHER CPS report as of July 1, 2020 so the total is now 8 reports that Devin is  
28 aware of.

1 Devin did not have to get staff to assist him to find Abby as Amanda claimed; he  
2 had to find staff to help him get the door unlocked because Amanda refused to  
3 unlock it and let him have Abby. Amanda also claims that Devin sends the  
4 children to school in ill-fitting, old clothes. What actually happens is Amanda  
5 takes the children to school and then at the end of the day, she changes them into  
6 old, ill-fitting clothes and gives them to Devin. She takes the clothing that Devin  
7 buys and Devin never sees the items again. Last winter alone he purchased four  
8 (4) jackets and not a single one of them was ever returned to his home – Amanda  
9 kept all of them.  
10  
11

12  
13 Amanda has also claimed Devin threw a hammer at her and pulled out a gun  
14 to intimidate Abby. The gun incident simply never happened. During the divorce  
15 Amanda's father pulled a gun on Devin. After he called the police, Amanda took  
16 the gun and hid it inside her house. Amanda's father had a second gun in his car at  
17 the time. It appears that Amanda has manufactured the claim against Devin to  
18 distract from the very real incident in which her father threatened Devin with a  
19 gun. The "hammer" Amanda claims Devin threw at her was not actually a  
20 hammer. It was a small plastic toy that is not even solid plastic; it is made of soft,  
21 pliable plastic and it is hollow; specifically designed NOT to hurt anyone as it is a  
22 child's toy. (See Exhibit 16.) Further, Devin did not throw it at Amanda. She is  
23 being dishonest with this Court.  
24  
25  
26

27 Another highly concerning issue is the custodial exchanges with Amanda.  
28 She has routinely brought her father (the same man who pulled a gun on Devin) to

1 the exchanges. He would stand by and film Devin try to put the children in his  
2 truck. Amanda grabs Abby and fling her about, riling her up and escalating the  
3 tension of the situation. She would hold onto Abby until Devin got close and then  
4 allow her to run away.  
5

6 In one particular instance on April 17, 2020 when Devin arrived for the  
7 exchange Amanda and her father stood on the sidewalk, silently staring at Devin,  
8 and pointing their cell phones at him. (See Exhibit 18 for screenshots of the  
9 incident.) When Devin approached, asking if he could get Shawn into the truck,  
10 Amanda stood silently, refusing to respond. Her father aggressively stepped off  
11 the sidewalk as if to approach Devin, but Amanda held him back. They stood  
12 there, pointing their phones at Devin and refusing to answer him. This went on for  
13 approximately two (2) minutes.  
14  
15

16 Later that same day, in another video, Amanda had ahold of Abby. (See  
17 Exhibit 19 for screenshots of the incident.) She flung her off the sidewalk with her  
18 arms wrapped around her. Abby struggled, but Amanda refused to let her go, she  
19 just continued flinging her back and forth. At one point in the video she can be  
20 seen leaning forward with her hair hanging down, blocking the camera's view of  
21 her and Abby's faces. She is clearly whispering something because she then let  
22 Abby go and Abby ran a short distance away and then turned to watch her parents.  
23 Amanda's father stood by with his phone, filming the entire incident. Eventually  
24 Devin had to call the police to facilitate the exchange that day.  
25  
26  
27  
28

1 Shockingly, as this Supplement was being finalized for submission to the  
2 Court, Devin was notified of yet ANOTHER report filed against him with CPS on  
3 July 1, 2020. (See Exhibit 20.) Amanda simply will not stop. She clearly believes  
4 that as long as she continues to make her outrageous allegations and she continues  
5 to file with this Court, she will eventually prevail in her attempts to take Abby and  
6 Shawn away from Devin. Her behavior is the definition of abuse of process.  
7

## 8 9 II. 10 LAW AND ANALYSIS

### 11 A. Child Custody Should Be Modified To Give Devin Primary Custody Of 12 The Minor Child Subject To Supervised Visitation With Amanda

13 The parties currently share joint physical custody of the minor children.  
14 Pursuant to *Truax v. Truax*, 110 Nev. 437, 874 P.2d 10 (1994), any modification of  
15 this custodial order must be in the best interests of the minor children. It is Devin's  
16 contention that the facts above, as well as those in his pleadings on file herein,  
17 necessitate a modification of custody.  
18

19 NRS 125C.0035 tells us that the "sole consideration" in the Court's  
20 custodial decision is the best interest of the minor children. Applying the best  
21 interest factors to the present case shows that it is in the children's best interest to  
22 grant Devin primary physical custody.  
23

#### 24 (a) The wishes of the child if the child is of sufficient age and 25 capacity to form an intelligent preference as to his or her 26 physical custody.

27 The children are young, seven (7) and four (4). While they are too young to  
28 state a preference, they do enjoy their father's company and have fun when they

1 are with him. Exchanges are stressful due to Amanda's behavior and interactions  
2 with Devin, but once the children are with Devin and away from Amanda, they  
3 become happy and carefree, as they should be. This factor is likely neutral, but in  
4 light of the anxiety Amanda creates around exchanges, may slightly favor Devin.  
5

6 **(b) Any nomination of a guardian for the child by a parent.**  
7

8 This factor does not apply.

9 **(c) Which parent is more likely to allow the child to have frequent**  
10 **associations/continuing relationship with the noncustodial**  
11 **parent.**

12 Devin has never interfered with Amanda's time with the children. The  
13 reverse cannot be said. Amanda not only turns exchanges into a nightmare for the  
14 children, but she has also hidden Abby in her classroom when Devin has tried to  
15 pick her up. Amanda's constant harassment of Devin by calling Metro and CPS  
16 further interferes with Devin's ability to parent the children. As mentioned at the  
17 last hearing, Amanda also started Abby in counseling and scheduled it during her  
18 time so that Devin would either have to interact with her and her hysterics, or not  
19 attend at all. This factor strongly favors Devin.  
20  
21

22 **(d) The level of conflict between the parties.**  
23

24 The level of conflict between the parties is off the charts. Amanda's  
25 pathogenic parenting is harming the wellbeing of the children as well as their  
26 relationship with their father. Amanda should be evaluated, and the children  
27 MUST be protected from her behavior. This factor favors Devin.  
28

1           **(e) The ability of the parents to cooperate to meet the needs of the**  
2           **child.**

3           Amanda does not cooperate with Devin at all. She refuses to try to make  
4 exchanges with him positive for the children, she has repeatedly involved her  
5 father who is violent and aggressive towards Devin, and she actively interferes  
6 with his relationship with the children. She schedules therapy appointments during  
7 her time so that Devin cannot attend without interacting with her. She takes the  
8 children to the doctor and only notifies Devin after the fact. She takes the clothing  
9 Devin buys for the children and sends them to his house in old, ill-fitting clothing.  
10 She has hidden Abby during exchanges so that Devin had to get school staff to  
11 unlock Amanda's classroom. Her aggressive and pathogenic behavior towards  
12 Devin is harming the wellbeing of the children. She appears incapable of co-  
13 parenting. This factor strongly favors Devin.

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

15           By all appearances, Amanda has mental health issues. There does not  
16 appear to be any other explanation for her behavior. She also has a documented  
17 history of long-term pain medication prescriptions which she is either taking  
18 herself or selling. If she is taking the prescriptions, she is no doubt an addict as  
19 there is no way a person could be taking 60mg of opioids a day without being  
20 addicted. She also drives the children which is a huge safety concern. If she is not  
21 taking the medication and is actually selling it as suspected, that presents a whole  
22  
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24  
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27  
28

1 other set of issues, many of them criminal in nature. Devin is healthy and fit. He  
2 works as a painter and has no known medical issues.

3  
4 Under this factor, the Court should definitely take into account Amanda's  
5 prescription history in conjunction with her behavior. She has behaved in an  
6 aggressive and erratic manner. She is prescribed a large amount of opioids each  
7 month. The two facts should not be viewed independently as one may have  
8 everything to do with the other. It is not out of the realm of possibilities that  
9 Amanda's prescription drug use (or abuse) is directly tied to her behavior and her  
10 constant calls to Metro and CPS. This factor favors Devin.

11  
12  
13 **(g) The physical, developmental, and emotional needs of the children.**

14  
15 The children are entitled to a healthy, happy, and secure relationship with  
16 both of their parents. Amanda is so obsessed with her anger towards Devin, she  
17 cannot protect her children. Her judgment and decision-making is compromised  
18 by her rage at Devin.

19  
20 Amanda has failed to protect Abby. Though she claims that Jeff was a  
21 handyman, the evidence says otherwise. She went on dates with him, she attended  
22 events with her family and him, she went to her friend's child's birthday party with  
23 him, and she texted her friends pictures of him playing with Abby. Amanda was  
24 very clearly dating Jeff. She was so obsessed with her vendetta of revenge against  
25 Devin that she failed to protect Abby from a child predator who was hurting Abby  
26  
27  
28



1 right under her nose. This factor strongly favors Devin.

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

3  
4 Although Amanda creates a stressful and high conflict environment during  
5 custody exchanges, once the children are with Devin and away from Amanda's  
6 insanity, the children enjoy being with their father. They love him dearly. No  
7 doubt the children also love their mother. Hopefully she can get herself under  
8 control before they are old enough to see how toxic her behavior is and she  
9 permanently damages her relationship with them. This factor is likely neutral.  
10

11  
12 **(i) The ability of the child to maintain a relationship with any sibling.**

13 The children are bonded siblings. Any order from this Court must consider  
14 this and Devin urges the Court to keep the children together on the same custodial  
15 schedule. Devin also has older children which Amanda has targeted with her rage.  
16 Though Devin's other children are significantly older than Abby and Shawn, they  
17 are still entitled to a relationship. As the years pass and the children grown up, a  
18 relationship with their older siblings could be a major source of support and  
19 affection for them. The Court should consider that Amanda is actively trying to  
20 alienate the children from their older siblings. This factor slightly favors Devin.  
21  
22

23  
24 **(j) Any history of parental abuse or neglect of the child or a**  
25 **sibling.**

26 The charges against Jeff speak for themselves. Amanda absolutely failed in  
27 her obligations as a parent. She is so obsessed with fighting Devin, she failed to  
28

1 see that her child was being harmed right under her nose. She has called Metro  
2 and CPS on Devin an extraordinary amount of times in the past 18 months, but  
3 failed to see that Abby was being harmed by the man she allowed into their lives.  
4 This factor strongly favors Devin.

6           **(k) Whether either parent or any other person seeking physical**  
7           **custody has engaged in an act of domestic violence against the**  
8           **child, a parent of the child, or any other person residing with**  
9           **the child.**

10           While Amanda has made repeatedly allegations of domestic violence against  
11 Devin, there is no actual evidence. She might point to recordings she has made of  
12 her and Devin fighting, but she fails to mention how she provoked and harassed  
13 Devin, following him around the house, screaming at him, antagonizing him, until  
14 he finally broke and cussed at her. Then she would push record. Amanda's  
15 behavior is predatory. Devin did not abuse her. In fact, given the number of times  
16 Amanda has reported Devin to CPS and sent the police to his home, a strong  
17 argument could be made that Amanda is the actual aggressor. She emotionally and  
18 mentally abuses Devin whenever she can. This factor slightly favors Devin.

22           **(l) Whether either parent or any other person seeking custody has**  
23           **committed any act of abduction against the child or any other**  
24           **child.**

25           Not an applicable factor.

26           Amanda's anger and her vendetta towards Devin has undermined her ability  
27 to safely parent the children. While Devin would have liked this matter resolved,  
28

1 and he did in fact attempt to do so before retaining counsel, the reality is that  
2 Amanda is not a safe parent. She simply will not stop. Even after the last hearing  
3 in which some of her dangerous behaviors were brought up to the Court, Amanda  
4 has continued. During the writing of this Supplement, she continued to call the  
5 police and CPS on Devin, generating additional reports and yet another  
6 investigation by CPS.  
7  
8

9 Amanda is not stable. Her prescription history is problematic on a number  
10 of fronts, her mental health appears to be unpredictable, and her judgment is not  
11 safe for the children. Primary physical custody should be granted to Devin  
12 pending the outcome of a mental health examination of Amanda, at her cost. She  
13 should be required to use a PhD level psychologist at a minimum; however, Devin  
14 suggests to the Court that in light of Amanda's prescription history and painkiller  
15 addiction, it may be preferable to require her to be examined by a psychiatrist who  
16 has an MD or DO.  
17  
18  
19

20 **B. If The Court Is Not Inclined To Modify Custody, The Custodial**  
21 **Timeshare Should Be Modified**

22 Amanda's behavior during the exchanges is frightening to say the least. She  
23 stresses the children out, leaving them hurt, exhausted, and angry. Every time  
24 there is an exchange, it takes custodial time away from Devin because he has to  
25 calm the children, comfort them, and get them back to normal. Then they are  
26 happy and they enjoy their time with their father. This should not be the case.  
27  
28

1 One way for the Court to curtail Amanda's behavior and this stress on the  
2 children is to limit the number of exchanges between Amanda and Devin. A week  
3 on – week off schedule, with a defined exchange day and time, would reduce the  
4 number of exchanges and the number of times Amanda is able to orchestrate her  
5 exchange drama. It would protect the children from the protected and stressful  
6 display that occurs every time they see their father. It would also maintain the  
7 joint physical custodial timeshare if the Court is so inclined to keep that in place.  
8 Finally, such a schedule would allow the children sufficient time to spend with  
9 their father, to bond with him, and to engage in their usual activities such as  
10 school, fun time, homework, doctor visits, and therapy appointments with BOTH  
11 parents, on an equal basis.  
12  
13  
14  
15

16 **C. Devin's Legal Custody Of The Minor Children Should Be Reinstated**

17 The Nevada Supreme Court has stated that “[t]o permit one non-cooperative  
18 parent to come in and get sole custody just because of a mutual conflict not only  
19 rewards uncooperative conduct but also...unnecessarily deprives the child of the  
20 company of one or the other of his or her parents.” *Mosley v. Figliuzzi*, 113 Nev.  
21 51, 66 (Nev. 1997).  
22  
23

24 In this case, Amanda is a highly aggressive and hostile parent. She feeds  
25 and maintains conflict with Devin on a weekly, if not daily, basis. She should not  
26 be rewarded with sole legal custody based on her hostile and neglectful behavior.  
27 Shawn and Abby clearly need their father in their lives. Devin is a fit parent and  
28

1 loves his children very much. His rights as a parent should not be chipped away at  
2 because Amanda is an unstable and vexatious person, incapable of co-parenting in  
3 any rational manner.  
4

5 **D. The School Placement Of The Children Should Be Modified**

6 The Nevada Supreme Court recently addressed the issue of modifying a  
7 child's educational placement when parents are unable to agree on schooling in  
8 *Arcella v. Arcella* 133 Nev. \_\_\_, \_\_\_ P.3d \_\_\_ (Adv. Opn. No. 104, Dec 26, 2017).  
9 In *Arcella*, the Court noted, "We take this opportunity to provide guidance to the  
10 district courts on the factors to consider when determining educational placement  
11 of a minor. The school that accords with the child's best interest does not  
12 necessarily mean the most expensive or the highest ranked school; it means the  
13 school best tailored to the needs of the particular child. Based on our examination  
14 of this case and others that have addressed this issue, see, e.g., *Jordan*, 212 P.3d at  
15 928, the following factors will likely be relevant to a court's determination:  
16  
17  
18  
19

- 20 (1) The wishes of the child, to the extent that the child is of sufficient age  
21 and capacity to form an intelligent preference;
- 22 (2) The child's educational needs and each school's ability to meet them;
- 23 (3) The curriculum, method of teaching, and quality of instruction at  
24 each school;
- 25 (4) The child's past scholastic achievement and predicted performance at  
26 each school;
- 27 (5) The child's medical needs and each school's ability to meet them;
- 28 (6) The child's extracurricular interests and each school's ability to satisfy  
them;

- (7) Whether leaving the child's current school would disrupt the child's academic progress;
- (8) The child's ability to adapt to an unfamiliar environment;
- (9) The length of commute to each school and other logistical concerns;
- (10) Whether enrolling the child at a school is likely to alienate the child from a parent.

The Court notes that these factors are illustrative rather than exhaustive; they are merely intended to serve as a starting point for a district court's analysis. Determining which school placement is in the best interest of a child is a broad-ranging and highly fact-specific inquiry, so a court should consider any other factors presented by the particular dispute, and it should use its discretion to decide how much weight to afford each factor. The district court should utilize this factor-based approach to determine the child's best interest.

Applying the *Arcella* factors to the present case, there is a strong interest in moving the children to a different school. Amanda works at the school that the children attend, Kitty Ward. She has utilized her position to manipulate Devin's time with the children and his interactions with them and the staff at the school.

When Devin picks up the children at school, Amanda takes their clothes from them and puts them in old, ill-fitting clothing. When Devin sends them to school in the clothes he purchases, Amanda takes those clothes and does not return them. She meets Abby at the gate in the morning and takes her to her classroom to re-dress her and re-do her hair, as though Devin (who has already raised children of his own) cannot brush his own daughter's hair. Amanda has taken Abby from

1 after care and hidden her in her classroom, locking the door. Amanda then claims  
2 that Abby hid from Devin and he had to get staff to help him force Abby to go with  
3 him when in reality he had to get staff to unlock Amanda's classroom where he  
4 found Abby, Amanda, and Amanda's father.  
5

6 If the children were to attend school in Devin's neighborhood school (Allen  
7 Elementary), they would not be exposed to Amanda's vitriol towards their father  
8 on a daily basis. School could be a neutral, happy place for them, away from their  
9 mother's hatred of their father. Amanda would no longer be able to manipulate  
10 and harass Devin the way she current does.  
11  
12

13 **(1) The wishes of the child, to the extent that the child is of**  
14 **sufficient age and capacity to form an intelligent preference;**

15 The children are not of sufficient age or capacity to form an intelligent  
16 preference so this factor is likely not applicable; however, Amanda's behavior  
17 is poisoning the children's ability to live without her constantly casting a  
18 shadow over their relationship with their father.  
19

20 **(2) The child's educational needs and each school's ability to meet**  
21 **them;**

22 Both of the schools are CCSD schools and offer similar programs. The  
23 children need to be able to attend school in a stress-free and neutral  
24 environment where they can be happy and healthy. Right now they attend a  
25 school they are not zoned for because their mom works there. For the reasons  
26 stated above, it is critical that the children attend a school where they are not in  
27  
28

1 the middle of their mother's daily battle against their father. It is simply not  
2 feasible to expect them to be successful students with their mother's rage  
3 literally hanging over their heads.  
4

5 **(3) The curriculum, method of teaching, and quality of**  
6 **instruction at each school;**

7 Both schools are in Clark County School District and online searches  
8 reveal they are similarly ranked.  
9

10 **(4) The child's past scholastic achievement and predicted**  
11 **performance at each school;**

12 Abby is seven (7) and Shawn is four (4.) Neither child has an extensive  
13 educational background to reference. It is predicted that they will do better in  
14 a neutral environment rather than an environment where their mother's hatred  
15 of their father is not infecting every aspect of their day. The staff at Ward are  
16 Amanda's co-workers. It is reasonable to assume they take a dim view of  
17 Devin based on her behaviors and words against him and the constant calls to  
18 CPS. The children would be better served going to a school where they are  
19 free from that environment and both of their parents are on equal footing with  
20 the staff.  
21

22 **(5) The child's medical needs and each school's ability to meet**  
23 **them;**

24 The children do not have specific medical needs that need addressed.  
25 Abby is in therapy and should definitely stay there in light of the abuse she  
26 suffered at the hands of Amanda's boyfriend, Jeff. An environment that is free  
27  
28



1 of Amanda's poison will be better for Abby in the long run. She will be able  
2 to move on and be a happy kid, away from her mother's influence over her  
3 education.  
4

5  
6 **(6) The child's extracurricular interests and each school's ability  
7 to satisfy them;**

8 The schools are both CCSD schools and have similar programs.

9 **(7) Whether leaving the child's current school would disrupt the  
10 child's academic progress;**

11 Though Abby may have a slight disruption starting at a new school, she  
12 is very young and the disruption pales in comparison to what she is  
13 experiencing at Ward Elementary. Amanda's hatred of Devin blocks out the  
14 sun and overshadows everything else. The children need a neutral, happy  
15 environment to learn in.  
16

17 **(8) The child's ability to adapt to an unfamiliar environment;**

18 Both children are young and adaptable. They will have no problem  
19 making friends and meeting teachers at their new school.  
20

21 **(9) The length of commute to each school and other logistical  
22 concerns;**

23 Allen is not that far from Ward and is in Devin's neighborhood. There  
24 will not be much of a commute for either parent when taking the children to  
25 school. Granted, it is easier for Amanda to take them to work with her, but that  
26  
27  
28

1 benefits Amanda, not the children. The advantages to the children of  
2 placement at Allen outweigh the convenience to Amanda.

3  
4 **(10) Whether enrolling the child at a school is likely to alienate the**  
5 **child from a parent.**

6 There will be no alienation. In fact, at Ward the children are being alienated  
7 from their father. If they go to Allen, both parents will be on equal footing and the  
8 children will be in a neutral environment.

9  
10 **E. Amanda Should Be Drug Tested**

11  
12 In light of Amanda's prescription history, she should be tested for drug use.  
13 If she is taken her medication as prescribed, she is taking 60mg of opioids per day  
14 and should test accordingly. If she tests negative, that would substantiate Devin's  
15 suspicion that Amanda and Devon Debose are selling her prescriptions. Under  
16 either scenarios, this Court has cause to be concerned.

17  
18  
19 If Amanda is taking 60mg of opioids per day, she should not be driving the  
20 children anywhere; in fact, she should not be on the road at all. She is a danger to  
21 the community. If she is taking that much narcotic medication, it is concerning  
22 that she is even able to work as a teacher. In light of her long history of taking  
23 opioids, she is in all likelihood an addict and may not even be able to stop without  
24 medical intervention.  
25

26  
27  
28 If Amanda tests negative and is not taking opioids, that lends credibility to

1 Devin's suspicions that she is selling her prescriptions. Jason Debose has a history  
2 of criminal conduct and Amanda leaves the children in his care. She also  
3 socializes with Jason. This Court does not need to be told how dangerous it can be  
4 to sell drugs, much less have children in such an environment. Who knows what  
5 could happen if one of their deals went wrong?  
6

7  
8 **III.**  
9 **CONCLUSION**

10 **WHEREFORE**, based upon the foregoing, and for the reasons set forth  
11 herein, Devin respectfully requests that the Court:

- 12 1. Modify custody and grant Devin primary physical custody of the  
13 minor children and require the Defendant to get a mental health  
14 evaluation to determine if she has the ability to safely co-parent the  
15 minor children;  
16
- 17 2. In the alternative, modify the custodial timeshare;  
18
- 19 3. Modify the school placement of the minor children;  
20
- 21 4. Reinstate Devin's legal custody of the minor children;  
22
- 23 5. Order the Defendant to be drug tested;  
24
- 25 6. Grant Devin the relief requested in his Opposition and  
26 Countermotion; and  
27
- 28 7. Enter an Order denying Defendant's Motion in its entirety;

...

...

1           8.     Award Devin his fees and costs; and

2           9.     Award Devin any other relief this Court deems just and appropriate.

3           **DATED** this 2nd day of July, 2020.

4  
5   Respectfully Submitted,

6   *//s//Alex Ghibaudo*

7   \_\_\_\_\_  
8   **Alex Ghibaudo, Esq.**

9   *Attorney for Plaintiff*

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[ ] Pursuant to EDCR 8.05(a), EDCR 8.05(f), NRCp 5(b)(2)(D), and Administrative Order 14-2 captioned “*In the Administrative Matter of Mandatory Electronic Service in the Eighth Judicial District Court*,” by mandatory electronic service through the Eighth Judicial District Court’s electronic filing system;

[x] By depositing a copy of same in a sealed envelope in the United States Mail, postage pre-paid, in Las Vegas, Nevada;

[ ] Pursuant to EDCR 7.26, sent via facsimile by duly executed consent for service by electronic means.

Carrie Primas, Esq.  
1815 Village Center Circle – Suite 140  
Las Vegas, Nevada 89134  
*Attorney for Defendant*

**Alex Ghibaud, P.C.**  
*Attorneys for Plaintiff*

**EIGHTH JUDICIAL DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA**

**DEVIN REED**

Plaintiff/Petitioner

vs.

**AMANDA REED**

Defendant/Respondent

Case Number: **D-18-568055-D**Department: **F**

**MOTION/OPPOSITION  
FEE INFORMATION SHEET**

Notice: Motions and Oppositions 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:

<input type="checkbox"/>	<b>\$25</b>	The Motion/Opposition being filed with this form is subject to the \$25 reopen fee.
	-OR-	
<input checked="" type="checkbox"/>	<b>\$0</b>	The Motion/Opposition being filed is not subject to the \$25 reopen fee because:
	<input type="checkbox"/>	The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.
	<input type="checkbox"/>	The Motion/Opposition is being filed solely to adjust the amount of child support established in a final Order.
	<input type="checkbox"/>	The Motion/Opposition is for reconsideration or for a new trial and is being filed with 10 days after a final judgment or Decree was entered. The final Order was entered on: _____.
	<input checked="" type="checkbox"/>	Other Excluded Motion

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

<input checked="" type="checkbox"/>	<b>\$0</b>	The Motion/Opposition being filed is not subject to the \$129 or \$57 fee because:
	<input checked="" type="checkbox"/>	The Motion/Opposition is being filed in a case not initiated by Joint Petition.
	<input type="checkbox"/>	The party filing the Motion/Opposition previously paid a fee of \$129 or \$57
	-OR-	
<input type="checkbox"/>	<b>\$129</b>	The Motion/Opposition 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-	
<input type="checkbox"/>	<b>\$57</b>	The Motion/Opposition being filed 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:

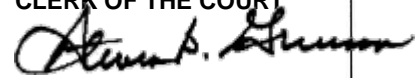
The total filing fee for the Motion/Opposition I am filing with this form is

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

Party filing Motion/Opposition: **Devin Reed**

Date: **7-2-2020**

Signature of Party or Preparer: **//s//Michancy M. Cramer**



**MOT**  
**HANRATTY LAW GROUP**  
Carrie J. Primas, Esq.  
State Bar of Nevada No. 12071  
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**  
**CLARK COUNTY, NEVADA**

DEVIN REED,  
  
Plaintiff,  
  
v.  
  
AMANDA REED,  
  
Defendant.

Case No: D-18-568055-D  
Dept No: F

**NOTICE OF MOTION AND  
MOTION TO STRIKE ROGUE  
FILING ENTITLED "PLAINTIFF'S  
SUPPLEMENTAL PLEA FOR  
RELIEF" AND "EXHIBITS IN  
SUPPORT OF PLAINTIFF'S  
SUPPLEMENTAL PLEA FOR  
RELIEF", AND FOR ATTORNEY  
FEES AND COSTS**

Date of Hearing:  
Time of Hearing:

**Oral Argument Requested: No**

TO: Plaintiff, Devin Reed, and his attorney, Alex B. Ghibaud, Esq.

YOU ARE REQUIRED TO FILE A WRITTEN RESPONSE TO THIS MOTION WITH THE CLERK OF THE COURT AND TO PROVIDE THE UNDER-SIGNED WITH A COPY OF YOUR RESPONSE WITHIN FOURTEEN (14) DAYS OF YOUR RECEIPT OF THIS MOTION. FAILURE TO FILE A WRITTEN RESPONSE WITH THE CLERK OF THE COURT WITHIN FOURTEEN (14) DAYS OF YOUR RECEIPT OF THIS MOTION MAY RESULT IN THE REQUESTED RELIEF BEING GRANTED BY THE COURT WITHOUT HEARING PRIOR TO THE SCHEDULED HEARING DATE.

1 PLEASE TAKE NOTICE that the undersigned will bring the foregoing  
2 *Motion* on for hearing before the Honorable Denise L. Gentile, in Dept. F,  
3 Courtroom #3 of the Eighth Judicial District Court, Family Division located at 601  
4 N. Pecos Road, Las Vegas, Nevada on the \_\_\_\_ day of \_\_\_\_\_, 2020, at  
5 \_\_\_\_\_ a.m./p.m. of said day, or as soon thereafter as counsel may be  
6  
7 heard.  
8

9 COMES NOW the Defendant, Amanda Reed, by and through her attorney,  
10 Carrie J. Primas, Esq., of Hanratty Law Group, and hereby moves the Court for an  
11 order granting the following:  
12

- 13 1. Finding that the documents entitled "Plaintiff's Supplemental Plea for  
14 Relief" and "Exhibits in Support of Plaintiff's Supplemental Plea for  
15 Relief" filed by Plaintiff are rogue documents, and order that they  
16 should be stricken in their entirety.
- 17 2. Awarding Defendant attorney fees and costs.
- 18 3. For such other and further relief as the Court deems just and proper.

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

22 DATED this 6<sup>th</sup> day of July, 2020.

23 **HANRATTY LAW GROUP**

24 

25 Carrie J. Primas, Esq.  
26 Nevada Bar No. 12071  
27 1815 Village Center Circle, Suite 140  
28 Las Vegas, Nevada 89134  
Attorneys for Defendant, Amanda Reed



1                                   **MEMORANDUM OF POINTS AND AUTHORITIES**

2   **I.**

3   **Statement of Facts**

4   **Limited to the Rogue Filing Only**

5                   On July 2, 2020, Plaintiff, Devin Reed (“Devin”) by and through counsel  
6  
7 filed a Supplemental Plea for Relief and Exhibits in Support of Supplemental Plea  
8 for Relief. This filing was not directed by the Court, nor stipulated to by the parties,  
9 nor did Plaintiff request leave of Court to file such document. It is a one-sided  
10 persuasive document which exists outside of all rules of civil procedure and it  
11 permits no due process responsive filing, nor the opportunity for Defendant to be  
12 heard on the issues therein.  
13

14                   Following the hearing on May 13, 2020, the Court issued a Minute Order  
15 stating that Plaintiff “is hereby afforded the opportunity to supplement his papers, if  
16 he believes he has a basis to request any additional relief regarding custody. **He**  
17 **must file his request within the next 30 days.**” See Minute Order from May 13,  
18 2020, hearing, paragraph 12. Emphasis added. While it is not clear, Defendant  
19 believes Plaintiff’s filing on July 2, 2020, was meant as such a supplement.  
20 However, it was filed more than thirty (30) days after the Minute Order, which was  
21 issued on May 13, 2020; any supplement was required to be filed on or before June  
22 13, 2020. An Amended Minute Order was filed on May 26, 2020; even utilizing the  
23 Amended Minute Order, any supplement was required to be field on or before June  
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26, 2020.

## II.

### GOVERNING LAW AND ANALYSIS

#### A. The Supplemental Plea for Relief and its accompanying Exhibits are Rogue Documents.

In violation of all rules governing motions, including EDCR 2.20 and EDCR 5.500, the instant "Supplemental Plea for Relief" and "Exhibits in Support of Supplemental Plea for Relief" is nothing but an unsworn collection of allegations presented as a "motion styled" request without actually being a motion and without affording Defendant due process.

NRCP 12(f) provides that upon motion made by a party before responding to a pleading, or, if no responsive pleading is permitted by these rules, upon motion made by a party within 21 days after the service of a pleading upon the party or upon the Court's own initiative at any time, the Court may order stricken from any pleading any insufficient defense or any redundant, immaterial, impertinent, or scandalous matter.

Defendant anticipates Plaintiff claiming the filing was in accordance with the Court's Minute Order and Amended Minute Order from the May 13, 2020, hearing, but the filing is both untimely in regard to what was allowed pursuant to the Minute Order, and is also outside of the scope of what was allowed. Specifically, if filed

1 within the proper time, Plaintiff could have filed a supplement requesting  
2 “additional relief regarding custody.” However, this rogue filing makes numerous  
3 requests outside of that scope, including a request for a mental health evaluation for  
4 Defendant, a request to modify the children’s school placement, and even a request  
5 to “reinstate [Plaintiff’s] legal custody,” which was modified pursuant to the  
6 Minute Order. Clearly the Court did not intend for him to request a modification of  
7 the Court’s most recent order by way of a simple supplement.  
8  
9

10 Plaintiff’s “Supplemental Plea for Relief” and “Exhibits in Support of  
11 Supplemental Plea for Relief” should be stricken as being (a) untimely; (b)  
12 impertinent; (c) scandalous; and (d) against Court policy; and/or (e) filed without  
13 this Court's consent.  
14

15 **B. Sanctions in the Form of Attorney's Fees**  
16

17 Prolonged hearings under NRCP 11 are beyond the budgets of either party.  
18 However, Plaintiff and his counsel must be held accountable for their bad acts. An  
19 award of fees should issue against Plaintiff for the expenses in filing this Motion.  
20

21 In addition to the cases where an allowance of fees is authorized by specific  
22 statute, the Court may make an allowance of attorney's fees to a prevailing party  
23 under NRS 18.010, and EDCR 7.60.4.  
24

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**III.**

**Conclusion**

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

1. Finding that the documents entitled "Plaintiff's Supplemental Plea for Relief" and "Exhibits in Support of Plaintiff's Supplemental Plea for Relief" filed by Plaintiff are rogue documents, and order that they should be stricken in their entirety.
2. Awarding Defendant attorney fees and costs.
3. For such other and further relief as the Court deems just and proper.

DATED this 6<sup>th</sup> day of July, 2020.

**HANRATTY LAW GROUP**



---

Carrie J. Primas, Esq.  
Nevada Bar No. 12071  
1815 Village Center Circle, Suite 140  
Las Vegas, Nevada 89134  
Phone: (702) 821-1379  
Fax: (702) 870-1846  
Email: attorneys@hanrattylawgroup.com  
Attorneys for Defendant, Amanda Reed

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AFFIDAVIT OF CARRIE J. PRIMAS, ESQ.

STATE OF NEVADA     )  
                                  )ss:  
County of Clark        )

I, Carrie J. Primas, am the Defendant in the above referenced matter, and being duly sworn, deposes and says:

1. I am a licensed attorney in the State of Nevada in good standing, of counsel to Hanratty Law Group, 1815 Village Center Circle, Suite 140, Las Vegas, NV 89134.

2. I was retained by Plaintiff Julio Torres in the above captioned case.

3. I have read the preceding Motion, and it is true to the best of my knowledge, except as to those matters based upon information and belief, and as to those matters, I believe them to be true. The factual averments contained in the preceding filing are incorporated herein as if set forth in full.

4. Further Affiant sayeth naught.

Dated this 6<sup>th</sup> day of July, 2020.

Carrie J. Primas  
Carrie J. Primas, Esq.

Subscribed and sworn to before me this 6th day of July, 2020.

Kari A. Collis  
Notary Public



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**

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**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 7/6/2020

Signature of Party or Preparer Kari Collier

APPX0957