

IN THE SUPREME COURT OF THE STATE OF NEVADA

AMANDA REED,

Appellant,

vs.

DEVIN REED,

Respondent.

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Jan 10 2022 11:24 p.m.
Elizabeth A. Brown
Clerk of Supreme Court
CASE NO. 83512
District Court Case No:
D-14-499144-D

APPELLANT'S APPENDIX - VOL V

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1	Plaintiff's Motion to Deem Defendant a Vexatious Litigant; for an Order that Defendant's Father Stay Away From Plaintiff Pursuant to the Behavior Order; for Return of Personal Property; for Attorney's Fees and Costs and Other Related Matters	2.14.2019	II	APPX0249 - APPX0254
6	Plaintiff's Opposition and Countermotion	8.12.2020	V	APPX0987 - APPX0993
8	Plaintiff's Opposition and Countermotion for Revised Custodial Timeshare, School Placement, to Resolve Parent-Child Matters, and for Attorney Fees and Costs	4.1.2021	V	APPX1191 - APPX1210
11	Plaintiff's Pre-Trial Memorandum	6.10.2019	II	APPX0430 - APPX0432
13	Plaintiff's Pre-Trial Memorandum	2.18.2021	V	APPX1156 - APPX1169
14	Plaintiff's Supplemental Exhibit In Support of Motion	2.14.2019	II	APPX0255 - APPX0257
16	Plaintiff's Supplemental Plea for Relief	7.2.2020	IV	APPX0924 - APPX0949
18	Receipt of Copy	6.21.2018	I	APPX0056
19	Receipt of Copy	5.13.2019	II	APPX0419
20	Receipt of Copy	8.22.2019	III	APPX0567
21	Receipt of Copy	2.22.2021	V	APPX1171
22	Re-Notice of Motion	9.28.2020	V	APPX1109
23	Reply to Opposition and Countermotion	3.19.2019	II	APPX0406 - APPX0409
24	...			
25	...			
26	...			
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1	Reply to Plaintiff's	8.22.2019	III	APPX0572 -
2	Opposition to Motion for			APPX0580
3	an Order to Show Cause			
4	Why Plaintiff Should			
5	Not Be Held In Contempt			
6	of Court; for Leave to			
7	Amend Counterclaim; for			
8	a Modification of Custody;			
9	to Continue Trial; and			
10	for Attorney Fees and			
11	Costs; and Opposition to			
12	Plaintiff's Countermotion			
13	for Attorney's Fees and			
14	Costs, and for Related			
15	Relief			
16	Reply to Plaintiff's	4.23.2021	VI	APPX1231 -
17	Opposition to Motion for			APPX1245
18	Reconsideration of the			
19	Court's Order from the			
20	February 25, 2021 Hearing;			
21	and Opposition to Plaintiff's			
22	Countermotion for Revised			
23	Custodial Timeshare,			
24	School Placement, to Resolve			
25	Parent-Child Matters, and			
26	for Attorney Fees and			
27	Costs			
1	Reply to Plaintiff's	5.7.2020	IV	APPX0815 -
2	Opposition to Motion to			APPX0832
3	Adopt Dr. Paglini's			
4	Recommendation; for an			
5	Order to Show Cause Why			
6	Plaintiff Should Not Be			
7	Held In Contempt of Court;			
8	to Modify Custody; and for			
9	Attorney Fees and Costs;			
10	and Opposition to Plaintiff's			
11	Countermotion for			
12	Protective Order On Behalf			
13	of the Parties' Minor Children;			
14	for an Order Sealing Case			
15	File; for an Order Requiring			
16	Defendant to Obtain Court			
17	Approval Prior to Filing			
18	Future Motions; to Declare			
19	Defendant a Vexatious			
20	Litigant; for Sanctions, Fees,			
21	and Costs; and for Related			
22	Relief			
23				
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1	Request for Child Protection Services Appearance and Records	1.22.2019	I	APPX0228
2				
3	Request for Issuance of Joint Preliminary Injunction	3.20.2018	I	APPX0006
4	Stipulation and Order for Custody Evaluation	9.19.2019	III	APPX0590 - APPX0591
5				
6	Stipulation and Order for Release of CPS Records	1.23.2020	III	APPX0605 - APPX0607
7	Stipulation and Order Regarding Child Support Arrears and Child Support	6.17.2021	VI	APPX1269 - APPX1271
8				
9	Stipulation and Order to Continue Hearing	12.10.2019	III	APPX0601 - APPX0602
10				
11	Stipulation and Order to Continue June 26, 2018 Hearing	6.28.2018	I	APPX0105 - APPX0106
12				
13	Stipulation and Order to Continue Order to Show Cause Hearing	7.30.2020	IV	APPX0967 - APPX0969
14				
15	Stipulation and Order to Continue Trial	10.01.2020	V	APPX1116 - APPX1118
16	Supplement to 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	8.22.2019	III	APPX0582 - APPX0587
17				
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21	Supplement to Defendant's Motion to Enforce; for an Order to Show Cause Why Plaintiff Should Not Be Held in Contempt of Court; for Clarification; and for Attorney Fees and Costs	1.11.2019	I	APPX0199 - APPX0222
22				
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1	Supplement to Defendant's	3.18.2019	II	APPX0400 -
2	Opposition to Plaintiff's			APPX0405
3	Motion to Dem Defendant A			
4	Vexatious Litigant; for an			
5	Order that Defendant's Father			
6	Stay Away from Plaintiff			
7	Pursuant to the Behavior			
8	Order; for Return of Personal			
9	Property; for Attorney's			
10	Fees and Costs and Other			
11	Related Matters; and			
12	Countermotion for Joint Legal			
13	and Primary Physical Custody			
14	of the Minor Children,			
15	Child Custody Evaluation,			
16	Child Support, Exclusive			
17	Possession, and for Attorney			
18	Fees and Costs			
19	Supplemental Certificate of	4.13.2020	IV	APPX0769
20	Service			
21	Transcript Re: All Pending	12.15.2021	VI	APPX1343 -
22	Motions			APPX1365
23	Transcript Re: All Pending	12.15.2021	VI	APPX1366 -
24	Motions			APPX1397
25	Transcript Re: All Pending	12.15.2021	VI	APPX1398 -
26	Motions			APPX1436
27	Transcript Re: All Pending	12.15.2021	VII	APPX1510-
28	Motions			APPX1548
29	Transcript Re: Non-Jury	12.15.2021	VII	APPX1437-
30	Trial			APPX1509
31	...			
32	...			
33	...			
34	...			
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AFFIRMATION

(Pursuant to NRS 239B.030)

The undersigned does hereby affirm that the preceding documents
filed in the above-referenced matter does not contain the social security number
of any person.

DATED this 10 day of January, 2022.

KAINEN LAW GROUP, PLLC

By: /s Racheal H. Mastel
RACHEAL H. MASTEL, ESQ.
Nevada Bar No. 11646
Attorneys for Appellant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 10 day of January, 2022, I caused to be served the *Appellant's Appendix - Vol V* to all interested parties as follows:

___ BY MAIL: Pursuant to NRCP 5(b), I caused a true copy thereof to be placed in the U.S. Mail, enclosed in a sealed envelope, postage fully prepaid thereon, addressed as follows:

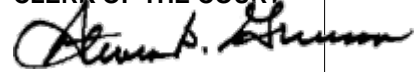
___ BY CERTIFIED MAIL: I caused a true copy thereof to be placed in the U.S. Mail, enclosed in a sealed envelope, certified mail, return receipt requested, postage fully paid thereon, addressed as follows:

___ BY FACSIMILE: Pursuant to EDCR 7.26, I caused a true copy thereof to be transmitted, via facsimile, to the following number(s):

X BY ELECTRONIC MAIL: Pursuant to EDCR 7.26 and NEFCR Rule 9, I caused a true copy thereof to be served via electronic mail, via Wiznet, to the following e-mail address(es):

Michancy Cramer
Alex Ghibaud

/s Racheal H. Mastel
An Employee of
KAINEN LAW GROUP, PLLC



OPPC

Alex B. Ghibaudo, Esq.

Nevada Bar No. 10592

Michancy M. Cramer, Esq.

Nevada Bar No. 11545

ALEX GHIBAUDO, PC

197 E California Ave, Ste 250

Las Vegas, Nevada 89104

T: (702) 978-7090

E: alex@glawvegas.com

Attorneys for Plaintiff

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

DEVIN REED,

Plaintiff,

vs.

AMANDA REED,

Defendant.

Case Number: D-18-568055-D

Department: F

PLAINTIFF'S OPPOSITION AND COUNTERMOTION

COMES NOW, Plaintiff DEVIN REED, by and through his attorney of record, MICHANCY M. CRAMER, ESQ., of ALEX GHIBAUDO, P.C., and hereby files this *Opposition and Countermotion*.

This *Opposition and Countermotion* is based upon the attached Memorandum of Points and Authorities, any supporting exhibits provided in on file herein, the *Declaration of Devin Reed* on file herein, any/all pleadings and papers on file herein, and any further evidence or argument presented to the Court

1 at the hearing of this matter.

2 As set forth herein, Devin respectfully requests that the Court:

- 3 1. Enter an Order denying Defendant's Motion in its entirety;
- 4 2. Award Devin his fees and costs; and
- 5 3. Award Devin any other relief this Court deems just and appropriate.
- 6

7 **DATED** this 12th day of August, 2020.

8 Respectfully Submitted,

9
10 *//s//Michancy M. Cramer*

11 **Michancy M. Cramer, Esq.**
12 *Attorney for Plaintiff*

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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I.**

3 **INTRODUCTION**

4 The parties to this post-Decree divorce action are Plaintiff, DEVIN REED
5 (“Devin”) and Defendant, AMANDA REED (“Amanda”). Devin and Amanda
6 have two children from their marriage, to-wit: ABIGAIL REED (“Abby”), born
7 April 6, 2013, presently age 7; and SHAWN REED (“Shawn”), born July 3, 2015,
8 age 4.
9

10 Because Devin was proceeding pro se there were a number of issues not
11 properly raised or not addressed in his initial pleadings. This Court granted Devin
12 leave to file a supplement to those pleadings after the hearing. Devin did file a
13 supplement. The problem with the supplement is that it was filed slightly later
14 than the Court granted; however, that is the Defendant’s fault.
15
16

17 While Devin was gathering evidence and preparing the Supplement with his
18 counsel, Amanda continued to call the police and child protective services. Rather
19 than multiplying these proceedings by constantly asking to file new supplements or
20 to supplement the pleadings on file, Devin revised his supplement and it was filed.
21

22 Amanda is seeking to have the supplement stricken because of the damning
23 evidence included. She claimed that Jeffery Eatherly (“Jeff”) was not her
24 boyfriend, but rather a handyman who broke into the house and assaulted Abby
25 without her knowledge. The pictures Devin was able to produce show that Jeff
26 was not Amanda’s handyman; he was her boyfriend.
27
28

1 The pictures also show some of the numerous calls to the police and CPS
2 that Amanda has made against Devin. There are also screen grabs of the highly
3 disturbing videos documenting Amanda's bizarre behavior during exchanges.
4

5 The bottom line is that Amanda seeks to have Devin's supplement thrown
6 out because of the evidence that is included. She cannot answer the allegations or
7 the evidence that has been produced so she is seeking a procedural "out." The
8 health and safety of the children is too critical for such an act. The exhibits
9 demonstrate that while Amanda was busy calling the police and CPS on Devin, on
10 a near weekly basis, she was ignoring the fact that her own boyfriend was preying
11 on her children.
12
13

14 II. 15 LAW AND ANALYSIS

16 A. The Supplemental Exhibits Are Too Important To Be Ignored

17 NRS 125C.0035 tells us that the "sole consideration" in the Court's
18 custodial decision is the best interest of the minor children.
19

20 There is no need to go further in the analysis. Amanda has sought to abuse
21 and harass Devin via near constant calls to the police and CPS. All the while the
22 man she was dating, who she invited into their home, was harming Abby. Amanda
23 could not even stop herself AFTER Jeff was arrested. She continues to call the
24 police on Devin and even while he was trying to get his supplement submitted, she
25 continued to do so as demonstrated by the supplemental exhibits.
26

27 The facts presented show that Amanda's fixation with attacking Devin has
28

1 blinded her to the real issue: keeping the children safe. She has ignored a predator
2 in her own home while she continues her vendetta against Devin. Of course she
3 does not want the Court to see the exhibits and to consider the supplement. It
4 demonstrates exactly what kind of parent she is and how she has failed to protect
5 her children.
6

7 The reason Devin's supplement was filed slightly late is because Amanda
8 continued to call the police and CPS. The evidence was being prepared so that the
9 Court would have all the relevant facts. For good cause, this Court should not
10 strike Devin's supplement. The facts and evidence included therein are too
11 important to the safety and wellbeing of the children.
12

13 **III.**
14 **CONCLUSION**

15 **WHEREFORE**, based upon the foregoing, and for the reasons set forth
16 herein, Devin respectfully requests that the Court:
17

- 18 1. Enter an Order denying Defendant's Motion in its entirety;
- 19 2. Award Devin his fees and costs; and
- 20 3. Award Devin any other relief this Court deems just and appropriate.
21

22 **DATED** this 12th day of August, 2020.

23 Respectfully Submitted,

24 *//s//Michancy M. Cramer*

25 **Michancy M. Cramer, Esq.**
26 *Attorney for Plaintiff*
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Pursuant to NRCP 5(b), I declare under penalty of perjury, under the law of the State of Nevada, that I served a true and correct copy of *Plaintiff's Opposition to Defendant's Motion to Dismiss*, on August 12, 2020, as follows:

- [x] 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;
- [] 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.

To the following address:

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

//s//Michancy M. Cramer

Alex Ghibaudo, 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"/>	\$25	The Motion/Opposition being filed with this form is subject to the \$25 reopen fee.
	-OR-	
<input checked="" type="checkbox"/>	\$0	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"/>	\$0	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"/>	\$129	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"/>	\$57	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: **8-12-20**

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

DISTRICT COURT
CLARK COUNTY, NEVADA

Divorce - Complaint

COURT MINUTES

August 14, 2020

D-18-568055-D Devin Bryson Reed, Plaintiff
vs.
Amanda Raelene Reed, Defendant.

August 14, 2020 12:05 AM Motion

HEARD BY: Gentile, Denise L COURTROOM: Courtroom 03

COURT CLERK: McCulloch, Melissa

PARTIES PRESENT:

Devin Bryson Reed, Counter Defendant, Plaintiff, Alex Ghibaud, Attorney, Not Present
Not Present

Amanda Raelene Reed, Counter Claimant, Carrie J. Primas, ESQ, Attorney, Not Present
Defendant, Not Present

Abby Reed, Subject Minor, Not Present Harvey Gruber, Attorney, Not Present

Shawn Reed, Subject Minor, Not Present

JOURNAL ENTRIES

NRCP 1 and EDCR 1.10 state the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 5.502(i), this matter came on before the Court on the Chambers Calendar, for decision without a hearing. Pursuant to EDCR 5.502, this Court can grant the requested relief if there is no opposition timely filed.

COURT FINDS that there is a Motion to Strike Rogue Filing, set for hearing on this Court's chambers calendar. COURT FINDS that there is an Opposition filed thereto. COURT has read and considered the arguments contained therein.

COURT NOTES that there is a Supplement filed by Plaintiff (the document that is sought to be stricken); which such document is actually a Motion for relief pursuant to additional facts and arguments posed by Plaintiff. COURT FINDS that in the interest of judicial economy, the Supplemental filing shall be considered a Motion for purposes of the issues pending in this case; the matter shall be set for hearing on September 18, 2020 (chambers calendar) for the Court's consideration; Defendant shall have 14 days from the date of this Minute Order to file a response. COURT SHALL consider the Motion and issue a decision as to whether there is adequate cause to consider his Motion at the time of the already scheduled evidentiary hearing. If so, the Court shall issue a Minute Order indicating that the requests for relief in the Motion (Supplement) shall be heard at the evidentiary hearing on October 22, 2020.

Based upon the foregoing, the Motion to Strike is hereby DENIED.

CLERK'S NOTE: On 8/17/20 a copy of the Court's Minute Order was provided to each Attorney 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. (mm)

INTERIM CONDITIONS:

FUTURE HEARINGS:

Printed Date: 8/18/2020

Page 1 of 2

Minutes Date:

August 14, 2020