

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

No. D-17-560076-C

Dept. No. I

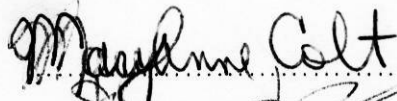
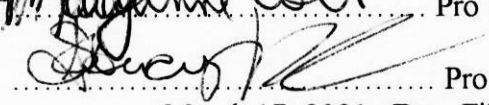
IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA IN AND FOR
THE COUNTY OF CLARK

Electronically Filed
Mar 25 2021 02:10 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

M.C./S.K., Plaintiffs }
v. }
A.P., Defendant }

JOINT NOTICE OF APPEAL

Notice is hereby given that M.C./S.K., Plaintiffs, above named, hereby appeals to the Supreme Court of Nevada from a final judgment from the order DECISION AND ORDER entered in this action on the 18th day of February, 2021 /s/

 Pro Se.
 Pro Se.
March 17, 2021 Date Filed

CSERV

Name: MARY-ANNE COLT/STACEY KANTER

Address: 9700 W Sunset Rd # 2039

Las Vegas, Nevada 89148

Telephone: 702-695-4777

Email Address: maryannecolt@gmail.com

In Proper Person

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

MARY-ANNE COLT/STACEY KANTER

Plaintiff,

vs.

ALYSA MARIE PLUMMER

Defendant.

CASE NO.: D-17-560076-C

DEPT: 1

CERTIFICATE OF SERVICE

I, (name of person who served the document) Mary-Anne Colt,
declare under penalty of perjury under the law of the State of Nevada that the following is true
and correct. That I served the: **(check all that apply)**

- ☐ Motion ☐ Answer ☐ Financial Disclosure Form
☐ Opposition ☐ Reply ☐ Notice of Entry of Judgment / Order / Decree
☒ Other: JOINT NOTICE OF APPEAL FILED ON 3/17/2021

In the following manner: **(check one)**

- ☐ **Mail:** By depositing a copy in the U.S. Mail in the State of Nevada, postage prepaid, on
the (day) _____ of (month) _____, 20__ addressed to:

(Print the name and address of the person you mailed the document to)

HURTIK LAW & ASSOCIATES

6767 WEST TROPICANA AVE STE 200

LAS VEGAS, NEVADA 89103

- ☒ **Electronic:** Through the Court's electronic service system on (date) MARCH 17, 2021
at (time) 3:00 ☐ a.m. ☒ p.m.

DATED this 17TH day of MARCH, 2021

Submitted By: (Signature) ▶ /s/ Mary Anne Colt

CSERV

Name: MARY-ANNE COLT/STACEY KANTER

Address: 9700 W Sunset Rd # 2039

Las Vegas, Nevada 89148

Telephone: 702-695-4777

Email Address: maryannecolt@gmail.com

In Proper Person

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

MARY-ANNE COLT/STACEY KANTER

Plaintiff,

vs.

ALYSA MARIE PLUMMER

Defendant.

CASE NO.: D-17-560076-C

DEPT: 1

CERTIFICATE OF SERVICE

I, (name of person who served the document) Mary-Anne Colt,
declare under penalty of perjury under the law of the State of Nevada that the following is true
and correct. That I served the: *(check all that apply)*

- ☐ Motion ☐ Answer ☐ Financial Disclosure Form
☐ Opposition ☐ Reply ☐ Notice of Entry of Judgment / Order / Decree
☒ Other: JOINT NOTICE OF APPEAL FILED ON 3/17/2021

In the following manner: *(check one)*

- ☐ **Mail:** By depositing a copy in the U.S. Mail in the State of Nevada, postage prepaid, on
the (day) _____ of (month) _____, 20__ addressed to:

(Print the name and address of the person you mailed the document to)

Robert Cerceo

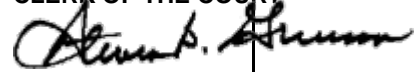
10000 W. Charleston Blvd. Suite 110

Las Vegas, NV 89135

- ☒ **Electronic:** Through the Court's electronic service system on (date) MARCH 17, 2021
at (time) 3:00 ☐ a.m. ☒ p.m.

DATED this 17 day of MARCH, 2021

Submitted By: (Signature) ▶ /s/ MaryAnne Colt



1 ASTA

2
3
4
5
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
7 **STATE OF NEVADA IN AND FOR**
8 **THE COUNTY OF CLARK**

9 MARY ANNE COLT ; STACEY KANTER,

10 Plaintiff(s)

11 vs.

12 ALYSA MARIE PLUMMER,

13 Defendant(s),

Case No: D-17-560076-C

Dept No: I

14
15
16 **CASE APPEAL STATEMENT**

17 1. Appellant(s): Mary Anne Colt; Stacey Kanter

18 2. Judge: Sunny Bailey

19 3. Appellant(s): Mary Anne Colt; Stacey Kanter

20 Counsel:

21 Mary Anne Colt; Stacey Kanter
22 9700 W. Sunset Rd., #2039
23 Las Vegas, NV 89148

24 4. Respondent (s): Alysa Marie Plummer

25 Counsel:

26 Carrie E. Hurtik, Esq.
27 6767 W. Tropicana Ave., Ste 200
28 Las Vegas, NV 89103

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

3 Respondent(s)'s Attorney Licensed in Nevada: Yes
4 Permission Granted: N/A

5 6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No

6 7. Appellant Represented by Appointed Counsel On Appeal: N/A

7 8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A

8 Appellant Filed Application to Proceed in Forma Pauperis: Yes,
9 Date Application(s) filed: March 17, 2021 & March 18, 2021

10 9. Date Commenced in District Court: October 11, 2017

11 10. Brief Description of the Nature of the Action: DOMESTIC - Child Custody

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

13 11. Previous Appeal: No

14 Supreme Court Docket Number(s): N/A

15 12. Case involves Child Custody and/or Visitation: Custody and Visitation
16 Appeal involves Child Custody and/or Visitation: Custody and Visitation

17 13. Possibility of Settlement: Unknown

18 Dated This 19 day of March 2021.

19 Steven D. Grierson, Clerk of the Court

20
21 /s/ Amanda Hampton
22 Amanda Hampton, Deputy Clerk
23 200 Lewis Ave
24 PO Box 551601
25 Las Vegas, Nevada 89155-1601
26 (702) 671-0512

27 cc: Mary Anne Colt; Stacey Kanter
28

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. D-17-560076-C**

Mary-Anne Colt, Stacey Kanter, Mary-Anne Colt,
Plaintiff.
vs.
 Alysa Marie Plummer, Defendant.

§
 §
 §
 §

Location: **Department I**
 Judicial Officer: **Bailey, Sunny**
 Filed on: **10/11/2017**

CASE INFORMATION**Related Cases**

D-13-487835-C (1J1F Related - Rule 5.103)

R-15-187981-R (1J1F Related - Rule 5.103)

Case Type: **Child Custody Complaint**Case Status: **10/11/2017 Open**

Case Flags: **Order After Hearing Required**
Proper Person Mail Returned
Order / Decree Logged Into
Department
Proper Person Documents
Mailed
Appealed to Supreme Court
In Forma Pauperis Granted
EXP 10/15/19 to Alyssa
Plummer 10/15/2018

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

Case Number D-17-560076-C
 Court Department I
 Date Assigned 01/04/2021
 Judicial Officer Bailey, Sunny

PARTY INFORMATION**Plaintiff**

Colt, Mary-Anne
9700 W Sunset RD
APT 2039
Las Vegas, NV 89145

Pro Se
 702-624-0291(H)

Colt, Mary-Anne
9700 W. Sunset Rd.
2039
Las Vegas, NV 89148

Pro Se
 702-695-4777(H)

Kanter, Stacey
9101 Ancient Oaks AVE
Las Vegas, NV 89113

Pro Se
 949-315-6156(H)

Defendant

Plummer, Alysa Marie
3417 E. Cheyenne Ave.
Apt. 151
North Las Vegas, NV 89030

















Hurtik, Carrie E.
Retained
 702-966-5200(W)
Forsberg, Rhonda K., ESQ
Retained
 702-990-6468(W)
Lay, Linda L
Retained
 702-966-5200(W)

Subject Minor**Colt, Preston****DATE****EVENTS & ORDERS OF THE COURT**

CASE SUMMARY

CASE NO. D-17-560076-C

EVENTS

- | | |
|------------|--|
| 10/11/2017 |  Complaint for Custody
Filed by: Counter Defendant Colt, Mary-Anne
<i>Complaint for Custody</i> |
| 10/17/2017 |  Motion
Filed By: Counter Defendant Colt, Mary-Anne
Party 2: Counter Claimant Plummer, Alysa Marie
<i>Motion for Temporary Child Custody</i> |
| 11/29/2017 |  Proof of Service
Filed By: Counter Defendant Colt, Mary-Anne
Party Served: Counter Claimant Plummer, Alysa Marie
<i>Proof of Service</i> |
| 11/30/2017 |  Ex Parte Motion
Filed by: Counter Defendant Colt, Mary-Anne
<i>Ex Parte Motion for an Order Shortening Time</i> |
| 12/04/2017 |  Order Shortening Time
Filed By: Attorney Grigsby, Abira
<i>Order Shortening Time</i> |
| 12/06/2017 |  Certificate of Service
Filed by: Counter Defendant Colt, Mary-Anne
<i>Certificate of Service</i> |
| 12/11/2017 |  Proof of Service
Filed By: Counter Defendant Colt, Mary-Anne
Party Served: Counter Claimant Plummer, Alysa Marie
<i>Proof of Service for OST</i> |
| 12/11/2017 |  Application to Proceed in Forma Pauperis
Filed By: Counter Claimant Plummer, Alysa Marie
<i>Application to Proceed in Forma Pauperis</i> |
| 12/13/2017 |  Order for Family Mediation Center Services
<i>Order for Family Mediation Center Services</i> |
| 12/13/2017 |  Order to Proceed In Forma Pauperis
Filed By: Counter Claimant Plummer, Alysa Marie
<i>Order to Proceed In Forma Pauperis</i> |
| 12/13/2017 |  Answer - Child Custody
Filed by: Counter Claimant Plummer, Alysa Marie
For: Counter Defendant Colt, Mary-Anne
<i>Answer - Child Custody</i> |
| 12/13/2017 |  Financial Disclosure Form
Filed by: Counter Claimant Plummer, Alysa Marie
<i>Financial Disclosure Form</i> |
| 12/13/2017 |  Opposition
Filed By: Counter Claimant Plummer, Alysa Marie
<i>Opposition to Motion for Orders for Temporary Custody, Child Support and Countermotion</i> |
| 12/13/2017 |  Behavior Order
<i>Behavior Order</i> |
| 12/13/2017 |  Case Management Order
<i>Case and Non-Jury Trial Management Order</i> |
| 12/13/2017 |  Request for Child Protection Service Appearance and Records |









CASE SUMMARY

CASE NO. D-17-560076-C

	Filed by: Counter Defendant Colt, Mary-Anne <i>Request for Child Protection Service Appearance and Records</i>
01/23/2018	 Order Filed By: Counter Defendant Colt, Mary-Anne <i>Order</i>
01/26/2018	 Notice of Entry of Order Filed By: Attorney Grigsby, Abira <i>Notice of Entry of Order</i>
02/07/2018	 Notice of Change of Address Filed By: Counter Defendant Colt, Mary-Anne <i>Notice of Change of Address</i>
03/21/2018	 Request for Child Protection Service Appearance and Records <i>Request for Child Protection Service Appearance and Records</i>
03/21/2018	 Order Filed By: Counter Defendant Colt, Mary-Anne <i>Order</i>
06/11/2018	 Order Setting Evidentiary Hearing <i>Order Setting Evidentiary Hearing</i>
06/29/2018	 Motion Filed By: Attorney Grigsby, Abira Party 2: Counter Claimant Plummer, Alys Marie <i>Atty Grisby Motion to Withdraw</i>
07/03/2018	 Certificate of Service Filed by: Counter Defendant Colt, Mary-Anne <i>Certificate of Service</i>
07/03/2018	 Ex Parte Motion Filed by: Counter Defendant Colt, Mary-Anne <i>Ex Parte Motion for an Order Shortening Time</i>
07/05/2018	 Order Shortening Time Filed By: Attorney Grigsby, Abira; Counter Defendant Colt, Mary-Anne <i>Order Shortening Time</i>
07/25/2018	 Ex Parte Motion Filed by: Counter Defendant Colt, Mary-Anne <i>Ex Parte Motion for Continuance</i>
07/25/2018	 Case Management Order <i>Amended Case and Non-Jury Trial Management Order</i>
07/25/2018	 Notice of Change of Address Filed By: Counter Claimant Plummer, Alys Marie <i>Notice of Change of Address</i>
07/31/2018	 Order Filed By: Counter Defendant Colt, Mary-Anne <i>Order for Withdrawal of Counsel</i>
08/13/2018	 Notice of Appearance Party: Counter Defendant Colt, Mary-Anne <i>Notice of Appearance</i>
08/23/2018	 Motion Filed By: Counter Defendant Colt, Mary-Anne <i>Plaintiff's Emergency Motion For Modification Of Temporary Orders Of Custody And Visitation, For Attorneys Fees And Costs, And For Other Related Relief</i>

CASE SUMMARY

















CASE NO. D-17-560076-C

08/24/2018	 Ex Parte Application Filed by: Counter Defendant Colt, Mary-Anne <i>Ex Parte Motion for an Order Shortening Time</i>
08/24/2018	 Certificate of Service Filed by: Counter Defendant Colt, Mary-Anne <i>Certificate of Service</i>
09/12/2018	 Opposition and Countermotion Filed By: Counter Claimant Plummer, Alysa Marie Party 2: Counter Defendant Colt, Mary-Anne <i>Opposition Answer and Counterclaim to Motion for Modification of Temporary Order of Custody and Visitation</i>
09/14/2018	 Certificate of Service Filed by: Counter Claimant Plummer, Alysa Marie <i>Certificate of Service</i>
09/27/2018	 Reply Filed By: Counter Defendant Colt, Mary-Anne <i>Reply In Support Of Plaintiff's Emergency Amended Motion For Modification Of Temporary Orders Of Custody And Visitation, For Attorneys Fees And Costs, And For Other Related Relief</i>
10/05/2018	 Financial Disclosure Form Filed by: Counter Defendant Colt, Mary-Anne <i>Financial Disclosure Form</i>
10/08/2018	 Notice of Change of Address Filed By: Counter Claimant Plummer, Alysa Marie <i>Notice of Change of Address</i>
10/10/2018	 Subpoena Duces Tecum Filed by: Counter Defendant Colt, Mary-Anne <i>Subpoena Duces Tecum</i>
10/11/2018	 Motion Filed By: Counter Claimant Plummer, Alysa Marie <i>Def's Motion and Notice of Motion for Orders to Modify Child Custody, Visitation, and/or Child Support</i>
10/11/2018	 Financial Disclosure Form Filed by: Counter Claimant Plummer, Alysa Marie <i>Financial Disclosure Form</i>
10/11/2018	 Ex Parte Motion Filed by: Counter Claimant Plummer, Alysa Marie <i>Ex Parte Motion for Order Shortening Time</i>
10/15/2018	 Application to Proceed in Forma Pauperis Filed By: Counter Claimant Plummer, Alysa Marie
10/15/2018	 Order to Proceed In Forma Pauperis Filed By: Counter Claimant Plummer, Alysa Marie
10/15/2018	 Order Filed By: Counter Defendant Colt, Mary-Anne <i>Order for Pickup of the Minor Child</i>
10/17/2018	 Request for Child Protection Service Appearance and Records
10/18/2018	 Notice of Entry of Order Filed By: Counter Defendant Colt, Mary-Anne <i>Notice of Entry of Order for Pickup of the Minor Child</i>
10/23/2018	 Order Filed By: Counter Defendant Colt, Mary-Anne

CASE SUMMARY

CASE NO. D-17-560076-C

Order from October 8, 2018 Hearing

11/05/2018	 Notice of Entry of Order Filed By: Counter Defendant Colt, Mary-Anne <i>Notice of Entry of Order From October 8, 2018 Hearing</i>
11/08/2018	 Notice of Entry <i>Notice of Entry of November 8, 2018 Minute Order</i>
11/15/2018	 Opposition and Countermotion Filed By: Counter Defendant Colt, Mary-Anne <i>Opposition To Motion To Modify Custody, Visitation, And/Or Child Support And Countermotion For Modification Of Temporary Orders Of Custody And Visitation, For An Order To Show Cause, For Attorneys Fees And Costs, And For Other Related Relief</i>
11/19/2018	 Notice of Appearance Party: Counter Claimant Plummer, Alys Marie <i>NOTICE OF APPEARANCE FOR DEFENDANT</i>
11/27/2018	 Ex Parte Application Filed by: Counter Defendant Colt, Mary-Anne <i>Ex Parte Application For Order Shortening Time</i>
12/03/2018	 Exhibits Filed By: Counter Defendant Colt, Mary-Anne <i>Plaintiff's Exhibit Appendix</i>
12/04/2018	 Notice Filed By: Counter Defendant Colt, Mary-Anne <i>Notice of Taking Deposition of Custodian of Records for CCSD</i>
12/04/2018	 Notice Filed By: Counter Defendant Colt, Mary-Anne <i>Notice of Taking Deposition of Custodian of Records for LVMPD</i>
12/04/2018	 Notice Filed By: Counter Defendant Colt, Mary-Anne <i>Notice of Taking Deposition of Custodian of Records for LVMPD</i>
12/05/2018	 Subpoena Duces Tecum Filed by: Counter Defendant Colt, Mary-Anne <i>Subpoena Duces Tecum</i>
12/05/2018	 Subpoena Duces Tecum Filed by: Counter Defendant Colt, Mary-Anne <i>Subpoena Duces Tecum-LVMPD</i>
12/05/2018	 Subpoena Duces Tecum Filed by: Counter Defendant Colt, Mary-Anne <i>Subpoena Duces Tecum</i>
12/07/2018	 Order Shortening Time <i>Order Shortening Time</i>
12/10/2018	 Substitution of Attorney Filed By: Counter Defendant Colt, Mary-Anne <i>Substitution of Attorney</i>
12/11/2018	 Receipt of Copy Filed By: Counter Defendant Colt, Mary-Anne <i>Receipt of Copy for Ex-Parte Application for an Order Shortening Time, Order Shortening Time AND Substitution of Attorney</i>
12/12/2018	 Affidavit of Service Filed By: Counter Defendant Colt, Mary-Anne

CASE SUMMARY

CASE NO. D-17-560076-C

Affidavit of Service

12/12/2018



Reply

Filed By: Counter Claimant Plummer, Alysa Marie

Deft Reply to Pltf's Opposition to Modify Custody, Visitation, And/or Child Support and Deft's Opposition to Countermotion for Modification of Temporary Orders of Custody and Visitation, for an Order to Show Cause for Arty's Fees

12/13/2018



Reply

Filed By: Counter Defendant Colt, Mary-Anne

Plaintiff's Reply

12/13/2018



Order for Supervised Visitation

Order for Supervised Visitation

12/27/2018



Proof of Service

Filed By: Counter Defendant Colt, Mary-Anne

Proof Of Service For Suopuenato to LVMPD Alyssa Records

12/27/2018



Proof of Service

Filed By: Counter Defendant Colt, Mary-Anne

Proof Of Service For Subpoena to LVMPD Preston Records

12/27/2018



Family Court Motion Opposition Fee Information Sheet

Filed by: Counter Defendant Colt, Mary-Anne

Family Court Motion Opposition Fee Information Sheet

12/27/2018



Notice of Motion

Filed By: Counter Defendant Colt, Mary-Anne

Plaintiff's Motion to Continue Trial

01/02/2019



Ex Parte Application for Order

Party: Counter Defendant Colt, Mary-Anne

Ex-Parte Application for Order Shortening Time

01/07/2019



Order Shortening Time

Filed By: Counter Defendant Colt, Mary-Anne

Order Shortening Time

01/08/2019



Family Court Motion Opposition Fee Information Sheet

Filed by: Counter Defendant Colt, Mary-Anne

Family Court Motion Opposition Fee Information Sheet

01/08/2019



Notice of Motion

Filed By: Counter Defendant Colt, Mary-Anne

Notice of Motion and Motion to Intervene and for Expert Witness to testify via video conference and for related relief

01/08/2019



Exhibits

Filed By: Counter Defendant Colt, Mary-Anne

Exhibits to Notice of Motion and Motion to intervene and for expert witness to testify via video conference and for related relief

01/09/2019



Receipt of Copy

Filed By: Counter Defendant Colt, Mary-Anne

Receipt of Copy for Ex-Parte Application for Order Shortening Time, Order Shortening Time and Notice of Motion and Motion to Continue Trial

01/09/2019



Ex Parte Application for Order

Party: Counter Defendant Colt, Mary-Anne

Ex-Parte Application for Order Shortening Time

01/10/2019



Certificate of Service

Filed by: Counter Defendant Colt, Mary-Anne

Certificate of Service for Plaintiff's Motion to Continue Trial












CASE SUMMARY

CASE NO. D-17-560076-C

01/10/2019	 Supplemental Exhibits Filed By: Counter Defendant Colt, Mary-Anne <i>Supplemental Exhibits to Plaintiff's Motion to Continue Trial</i>
01/11/2019	 Order for Family Mediation Center Services <i>Order for Family Mediation Center Services</i>
01/15/2019	 Proof of Service Filed By: Counter Defendant Colt, Mary-Anne <i>Proof of Service</i>
01/15/2019	 Certificate of Mailing Filed By: Counter Defendant Colt, Mary-Anne <i>Certificate of Mailing to Alysa Plummer for Notice of Motion and Motion to Intervene and for Expert Witness to Testify via Video Conference and for related relief AND Exhibits to Motion</i>
01/15/2019	 Certificate of Service Filed by: Counter Defendant Colt, Mary-Anne <i>Certificate of Service to Rhonda Forsberg for Notice of Motion and Motion to Intervene and for Expert Witness to Testify via Video Conference and for related relief AND Exhibits to Motion</i>
01/31/2019	 Certificate of Mailing Filed By: Counter Defendant Colt, Mary-Anne <i>Certificate of Mailing for Subpoena Duces Tecum to Twin Lakes Elementary School AND Subpoena Duces Tecum to Las Vegas Metropolitan Police Department</i>
02/01/2019	 Opposition Filed By: Counter Claimant Plummer, Alysa Marie <i>Defendant Alysa Plummer's Opposition to Plaintiff's Motion to Intervene and for Expert Witness to Testify via Video Conference and for Related Relief</i>
02/11/2019	 Reply to Opposition Filed by: Counter Defendant Colt, Mary-Anne <i>Reply to Defendant's, Alysa Plummer's Opposition to Plaintiff's Motion to Intervene and for Expert Witness to Testify via Video Conference and for Related Relief</i>
02/11/2019	 Certificate of Service Filed by: Counter Defendant Colt, Mary-Anne <i>Certificate of Service for Reply to Defendant's, Alysa Plummer's Opposition to Plaintiff's Motion to Intervene and for Expert Witness to Testify via Video Conference and for Related Relief</i>
02/13/2019	 Notice of Change of Address Filed By: Counter Claimant Plummer, Alysa Marie <i>Notice of Change of Address</i>
02/14/2019	 Proof of Service Filed By: Counter Defendant Colt, Mary-Anne <i>Proof of Service for Subpoena for Twin Lakes Elementary School</i>
02/19/2019	 Trial Management Order <i>Case and Non-Jury Trial Management Order</i>
02/22/2019	 Notice of Appearance Party: Counter Claimant Plummer, Alysa Marie <i>Notice of Appearance</i>
02/28/2019	 Certificate of Service Filed by: Counter Defendant Colt, Mary-Anne <i>COS for Plaintiff's First 16.2 list of Documents and witnesses</i>
03/05/2019	 Proof of Service Filed By: Counter Defendant Colt, Mary-Anne <i>Proof of Service for Subpoena Duces Tecum to LVMPD</i>

CASE SUMMARY

CASE NO. D-17-560076-C

03/06/2019	 Certificate of Service Filed by: Counter Defendant Colt, Mary-Anne <i>COS for Defendants 3rd 16.2 List of Documents and Witnesses</i>
03/06/2019	 Certificate of Service Filed by: Counter Defendant Colt, Mary-Anne <i>Cos For Petitioners Request for Admissions Propounded on Defendant</i>
03/14/2019	 Notice of Motion Filed By: Counter Defendant Colt, Mary-Anne <i>Notice of Motion and Motion to Withdraw as Attorney of Record</i>
03/14/2019	 Certificate of Mailing Filed By: Counter Defendant Colt, Mary-Anne <i>Certificate of Mailing for Notice of Motion to Withdraw</i>
03/14/2019	 Clerk's Notice of Hearing <i>Clerk's Notice of Hearing</i>
03/27/2019	 Order Filed By: Counter Defendant Colt, Mary-Anne <i>Order from February 19,2019 Hearing</i>
03/28/2019	 Notice of Entry of Order Filed By: Counter Defendant Colt, Mary-Anne <i>Notice of Entry of Order for February 19,2019</i>
04/01/2019	 Proof of Service Filed By: Counter Defendant Colt, Mary-Anne <i>Proof of Service for H.O.P.E Counseling Service</i>
04/01/2019	 Proof of Service Filed By: Counter Defendant Colt, Mary-Anne <i>Proof of Service for Children's Dentistry</i>
04/12/2019	 Notice of Entry <i>Notice of Entry of April 12, 2019 Minute Order</i>
04/18/2019	 Certificate of Service Filed by: Counter Defendant Colt, Mary-Anne <i>Certificate of Service for Subpoena Duces Tecum to Children's Dentistry AND Subpoena Duces Tecum to HOPE Counseling Services</i>
04/19/2019	 Designation of Witness Filed by: Counter Defendant Colt, Mary-Anne <i>Designation of Expert Witness</i>
05/07/2019	 Notice of Taking Deposition Filed by: Counter Defendant Colt, Mary-Anne <i>Notice of Taking Deposition of Aaron McCook, PA-C</i>
05/13/2019	 Amended Notice Filed by: Counter Defendant Colt, Mary-Anne <i>Amended Notice of Taking Deposition of Aaron McCook, PA-C</i>
05/17/2019	 Proof of Service Filed By: Counter Defendant Colt, Mary-Anne <i>Proof of Service for Subpoena for Amended Notice of Taking Deposition of Aaron McCook, PA-C</i>
06/03/2019	 Proof of Service <i>Proof of Service</i>
06/05/2019	 List of Witnesses Filed By: Counter Defendant Colt, Mary-Anne

CASE SUMMARY



















CASE NO. D-17-560076-C

Plaintiff's Witness List

06/06/2019	 Proof of Service <i>Proof of Service</i>
06/06/2019	 Order to Withdraw as Attorney of Record <i>Order to Withdraw as Attorney</i>
06/06/2019	 Subpoena Filed By: Counter Claimant Plummer, Alysia Marie <i>TRIAL SUBPOENA</i>
06/06/2019	 Designation of Witness Filed by: Counter Claimant Plummer, Alysia Marie <i>DESIGNATION OF WITNESSES</i>
06/07/2019	 Supplemental Witness List Filed by: Counter Defendant Colt, Mary-Anne <i>Plaintiff's Supplemental List of Witnesses</i>
06/10/2019	 Errata Filed By: Counter Defendant Colt, Mary-Anne <i>Errata to Plaintiff's List of Witnesses</i>
06/10/2019	 Errata <i>Errata to Plaintiff's 14th 16.2 List of Documents and Witnesses</i>
06/11/2019	 Pre-trial Memorandum Filed By: Counter Defendant Colt, Mary-Anne <i>Plaintiff Stacey Kanter's Pre-Trial Memorandum</i>
06/14/2019	 Estimate of Transcript <i>December 13, 2018</i>
06/24/2019	 Transcript of Proceedings <i>December 13, 2018</i>
06/24/2019	 Final Billing of Transcript <i>December 13, 2018</i>
06/25/2019	 Proof of Service Filed By: Counter Defendant Colt, Mary-Anne <i>Proof of Service for SDT to UMC</i>
06/28/2019	 Proof of Service Filed By: Counter Defendant Colt, Mary-Anne <i>Proof of Service for SDT of Yesenia Pelayo</i>
06/28/2019	 Affidavit Filed By: Counter Defendant Colt, Mary-Anne <i>Affidavit of Process Server Re: Aaron McCook</i>
07/02/2019	 Proof of Service <i>Proof of Service</i>
07/02/2019	 Subpoena Filed By: Counter Claimant Plummer, Alysia Marie <i>Trial Subpoena Yesenia Pelayo</i>
07/02/2019	 Subpoena Filed By: Counter Claimant Plummer, Alysia Marie <i>Trial Subpoena for Aaron McCook</i>
07/03/2019	 Proof of Service <i>Proof of Service</i>

CASE SUMMARY




















CASE NO. D-17-560076-C

07/05/2019	 Financial Disclosure Form Filed by: Counter Claimant Plummer, Alysia Marie <i>General Financial Disclosure Form</i>
07/08/2019	 Pre-trial Memorandum Filed By: Counter Claimant Plummer, Alysia Marie <i>Alysia Marie Plummer's Pre-Trial Memorandum</i>
07/09/2019	 Miscellaneous Filing Party: Counter Defendant Colt, Mary-Anne <i>Correspondences from Subpoened Witnesses</i>
07/09/2019	 Receipt of Copy <i>Receipt of Copy</i>
07/09/2019	 Affidavit of Attempted Service Filed by: Counter Claimant Plummer, Alysia Marie <i>AFFIDAVIT OF ATTEMPTED SERVICE</i>
07/10/2019	 Filed Under Seal <i>CPS Report Receipt</i>
07/10/2019	 Filed Under Seal <i>CPS Report Receipt</i>
07/16/2019	 Withdrawal of Attorney Filed By: Counter Defendant Colt, Mary-Anne <i>Notice of Withdrawal of Attorney</i>
08/12/2019	 Notice of Attorney Lien Filed By: Counter Defendant Colt, Mary-Anne <i>Notice of Attorney's Lien</i>
01/10/2020	 Order Setting Evidentiary Hearing <i>Order Setting Evidentiary Hearing</i>
01/14/2020	 Motion to Strike Filed by: Counter Defendant Colt, Mary-Anne <i>Plaintiff's Notice of Motion and Motion to Strike the Testimony of Defendant's Witnesses, Cheryl Kegley and Krystal Whipple; Request for Brief Focused Assessment and Access to Updated CPS Records</i>
01/14/2020	 Family Court Motion Opposition Fee Information Sheet Filed by: Counter Defendant Colt, Mary-Anne <i>Family Court Motion Opposition Fee Information Sheet</i>
01/15/2020	 Notice of Hearing <i>Notice of Hearing</i>
01/15/2020	 Exhibits <i>Exhibits to Plaintiff's Motion to Strike Testimony</i>
01/23/2020	 Ex Parte Application Filed by: Counter Defendant Colt, Mary-Anne <i>Ex Parte Application for Order Shortening Time</i>
01/23/2020	 Order Shortening Time <i>Order Shortening Time</i>
01/24/2020	 Receipt of Copy <i>Receipt of Copy for OST and Ex-Parte</i>
01/24/2020	 Opposition to Motion Filed by: Counter Claimant Plummer, Alysia Marie <i>Defendant's Opposition to Motion to Strike the Testimony of Defendant's Witnesses Cheryl Kegley and Krystal</i>

CASE SUMMARY

CASE NO. D-17-560076-C

Whipple; Request for a Brief Focused Assessment and Access to Updated CPS Records

01/24/2020	 Affidavit of Service Filed By: Counter Claimant Plummer, Alysa Marie <i>Affidavit of Service of Trial Subpoena to Krystal A. Whipple</i>
01/27/2020	 Reply to Opposition Filed by: Counter Defendant Colt, Mary-Anne <i>Reply to Defendant's Opposition to Motion to Strike the Testimony of Defendant's Witnesses</i>
01/27/2020	 Exhibits <i>Exhibits to Reply to Defendant's Opposition to Motion to Strike the Testimony of Defendant's Witnesses</i>
01/28/2020	 Referral Order for Outsourced Evaluation Services
02/04/2020	 Order <i>Order After Hearing December 13, 2018</i>
02/04/2020	 Notice of Entry of Order <i>Notice of Entry of Order After December 13,2019</i>
02/12/2020	 Notice of Motion <i>Notice of Motion and Motion to Withdraw as Attorney of Record</i>
02/12/2020	 Ex Parte Application <i>Ex-Parte Application for an Order Shortening Time</i>
02/12/2020	 Notice of Hearing <i>Notice of Hearing</i>
02/13/2020	 Subpoena Filed By: Counter Defendant Colt, Mary-Anne <i>Subpoena duces Tecum for Business Records - Krystal Whipple/H.O.P.E. Counseling Services</i>
02/13/2020	 Subpoena Duces Tecum Filed by: Counter Defendant Colt, Mary-Anne <i>Subpoena Duces Tecum for Business Records</i>
02/13/2020	 Affidavit of Service Filed By: Counter Claimant Plummer, Alysa Marie AFFIDAVIT OF SERVICE OF TRIAL SUBPOENA TO CHERYL KEGLEY
02/13/2020	 Affidavit of Service Filed By: Counter Claimant Plummer, Alysa Marie AFFIDAVIT OF SERVICES OF TRIAL SUBPOENA TO KRYSTAL A. WHIPPLE
02/14/2020	 Notice of Entry <i>Notice of Entry of Temporary Emergency Order</i>
02/14/2020	 Order Appointing Guardian Ad Litem <i>Appointment of Guardian Ad Litem Counsel</i>
02/14/2020	 Order <i>Temporary Emergency Order</i>
02/18/2020	 Withdrawal of Attorney Filed By: Counter Defendant Colt, Mary-Anne <i>Withdrawal of Attorney</i>
02/18/2020	 Certificate of Mailing Filed By: Counter Defendant Colt, Mary-Anne <i>Certificate of Mailing</i>
02/19/2020	 Motion Filed By: Counter Defendant Colt, Mary-Anne

CASE SUMMARY

CASE NO. D-17-560076-C

Plaintiff's Motion and Notice of Motion to Set Aside Order Judgment and/or Default

02/19/2020	 Certificate of Service Filed by: Counter Defendant Colt, Mary-Anne <i>Certificate of Service</i>
02/24/2020	 Subpoena Electronically Issued <i>Damara Sampson</i>
02/25/2020	 Order Filed By: Counter Claimant Plummer, Alysa Marie <i>Order After Evidentiary Hearing Day 2 July 11, 2019</i>
02/25/2020	 Notice of Entry of Order <i>Notice of Entry of Order After Evidentiary Hearing Day 2 July 11, 2019</i>
03/18/2020	 Opposition to Motion Filed by: Counter Claimant Plummer, Alysa Marie <i>Defendant's Opposition to Motion to Set Aside Order</i>
03/24/2020	 Notice of Entry <i>Notice of Entry of March 24, 2020 Minute Order</i>
03/27/2020	 Motion to Seal/Redact Records Filed by: Counter Claimant Plummer, Alysa Marie <i>Deft's Motion to Seal All Video Recordings and Papers Related to Trial</i>
03/28/2020	 Clerk's Notice of Nonconforming Document <i>Clerk's notice of nonconforming document</i>
03/30/2020	 Notice of Hearing <i>Notice of Hearing</i>
04/26/2020	 Reply Filed By: Counter Claimant Plummer, Alysa Marie <i>Reply to Opposition to Motion to Seal</i>
04/27/2020	 Certificate of Service Filed by: Counter Claimant Plummer, Alysa Marie <i>Certificate of Service of Reply to Colt's Opposition to Motion to Seal</i>
04/28/2020	 Clerk's Notice of Nonconforming Document <i>Clerk's notice of nonconforming document</i>
04/30/2020	 Opposition Filed By: Counter Defendant Colt, Mary-Anne <i>Plf's Opposition to Motion to Seal All Video Recordings and Papers Related to Trial</i>
04/30/2020	 Certificate of Service Filed by: Counter Defendant Colt, Mary-Anne <i>Certificate of Service</i>
05/15/2020	 Notice of Rescheduling of Hearing <i>Notice of Rescheduling of Hearing</i>
06/25/2020	 Certificate of Service Filed by: Counter Defendant Colt, Mary-Anne <i>Certificate of Service</i>
07/24/2020	 Subpoena Duces Tecum Filed by: Counter Defendant Colt, Mary-Anne <i>Subpoena Duces Tecum for Business Records - ***Issued Only***</i>
07/24/2020	 Subpoena Filed By: Counter Claimant Plummer, Alysa Marie

CASE SUMMARY

CASE NO. D-17-560076-C

TRIAL SUBPOENA

08/21/2020	 Clerk's Notice of Nonconforming Document <i>Clerk's Notice of Nonconforming Document</i>
08/21/2020	 Certificate of Service Filed by: Subject Minor Colt, Preston <i>Certificate of Service</i>
08/21/2020	 Ex Parte Motion Filed by: Subject Minor Colt, Preston <i>Ex Parte motion for Pick up order request</i>
08/24/2020	 Countermotion Filed By: Plaintiff Kanter, Stacey <i>Reply to motion to cease visits</i>
08/24/2020	 Miscellaneous Filing <i>pictures</i>
08/24/2020	 Certificate of Service Filed by: Plaintiff Kanter, Stacey <i>Certificate of Service</i>
08/25/2020	 Motion Filed By: Counter Claimant Plummer, Alysia Marie <i>Motion to Not Continue Temporary Visitation with Paternal Aunt Stacey Kanter</i>
08/25/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
08/31/2020	 Clerk's Notice of Nonconforming Document <i>Clerk's Notice of Nonconforming Document</i>
09/01/2020	 Order Shortening Time <i>Order Shortening Time</i>
09/02/2020	 Subpoena Filed By: Counter Claimant Plummer, Alysia Marie <i>Subpoena of Krystal Whipple</i>
09/02/2020	 Subpoena Filed By: Counter Claimant Plummer, Alysia Marie <i>Subpoena for Hannah Hart</i>
09/03/2020	 Affidavit of Service Filed By: Counter Claimant Plummer, Alysia Marie <i>Acceptance of Service</i>
09/03/2020	 Affidavit of Service Filed By: Counter Claimant Plummer, Alysia Marie <i>Affidavit of Service of Hannah Hart</i>
09/05/2020	 Miscellaneous Filing Party: Counter Claimant Plummer, Alysia Marie <i>Miscellaneous Filing</i>
09/11/2020	 Order <i>Order for Supervised Exchange</i>
09/11/2020	 Subpoena Duces Tecum Filed by: Counter Defendant Colt, Mary-Anne <i>HURTIK LAW & ASSOCIATES SUBPOENA DUCES TECUM</i>
09/11/2020	 Subpoena Duces Tecum

CASE SUMMARY

CASE NO. D-17-560076-C

	Filed by: Counter Defendant Colt, Mary-Anne <i>HURTIK LAW & ASSOCIATES SUBPOENA DUCES TECUM</i>
09/11/2020	 Subpoena Duces Tecum Filed by: Counter Defendant Colt, Mary-Anne <i>HURTIK LAW & ASSOCIATES SUBPOENA DUCES TECUM PAGE 5</i>
09/11/2020	 Subpoena Duces Tecum Filed by: Counter Defendant Colt, Mary-Anne <i>HURTIK LAW & ASSOCIATES SUBPOENA DUCES TECUM PAGE 3</i>
09/11/2020	 Subpoena Duces Tecum Filed by: Counter Defendant Colt, Mary-Anne <i>HURTIK LAW & ASSOCIATES SUBPOENA DUCES TECUM PAGE 4</i>
09/11/2020	 Subpoena Duces Tecum Filed by: Counter Defendant Colt, Mary-Anne <i>HURTIK LAW & ASSOCIATES SUBPOENA DUCES TECUM PAGE 6</i>
09/11/2020	 Subpoena Duces Tecum Filed by: Counter Defendant Colt, Mary-Anne <i>HURTIK LAW & ASSOCIATES SUBPOENA DUCES TECUM PAGE 7</i>
09/11/2020	 Subpoena Duces Tecum Filed by: Counter Defendant Colt, Mary-Anne <i>PAGE 8 HURTIK LAW & ASSOCIATES SUBPOENA DUCES TECUM</i>
09/11/2020	 Subpoena Duces Tecum Filed by: Counter Defendant Colt, Mary-Anne <i>HURTIK LAW & ASSOCIATES SUBPOENA DUCES TECUM PAGE 9</i>
09/11/2020	 Subpoena Duces Tecum <i>HURTIK LAW & ASSOCIATES SUBPOENA DUCES TECUM PAGE 10</i>
09/11/2020	 Subpoena Duces Tecum Filed by: Counter Defendant Colt, Mary-Anne <i>HURTIK LAW & ASSOCIATES SUBPOENA DUCES TECUM PAGE 11</i>
09/11/2020	 Subpoena Duces Tecum <i>HURTIK LAW & ASSOCIATES SUBPOENA DUCES TECUM PAGE 12</i>
09/11/2020	 Subpoena Duces Tecum Filed by: Counter Defendant Colt, Mary-Anne <i>RHONDA FORSBERG SUBPOENA DUCES TECUM PAGE 1</i>
09/11/2020	 Subpoena Duces Tecum Filed by: Counter Defendant Colt, Mary-Anne <i>RHONDA FORSBERG SUBPOENA DUCES TECUM PAGE 2</i>
09/11/2020	 Subpoena Duces Tecum Filed by: Counter Defendant Colt, Mary-Anne <i>RHONDA FORSBERG SUBPOENA DUCES TECUM PAGE 3</i>
09/11/2020	 Subpoena Duces Tecum <i>RHONDA FORSBERG SUBPOENA DUCES TECUM PAGE 4</i>
09/11/2020	 Subpoena Duces Tecum Filed by: Counter Defendant Colt, Mary-Anne <i>RHONDA FORSBERG SUBPOENA DUCES TECUM PAGE 5</i>
09/11/2020	 Subpoena Duces Tecum <i>RHONDA FORSBERG SUBPOENA DUCES TECUM PAGE 7</i>
09/11/2020	 Subpoena Duces Tecum Filed by: Counter Defendant Colt, Mary-Anne

CASE SUMMARY

CASE NO. D-17-560076-C

RHONDA FORSBERG SUBPOENA DUCES TECUM PAGE 8

09/11/2020



Subpoena Duces Tecum

RHONDA FORSBERG SUBPOENA DUCES TECUM PAGE 9

09/11/2020



Subpoena Duces Tecum

Filed by: Counter Defendant Colt, Mary-Anne

RHONDA FORSBERG SUBPOENA DUCES TECUM PAGE 10

09/11/2020



Subpoena Duces Tecum

RHONDA FORSBERG SUBPOENA DUCES TECUM PAGE 10

09/11/2020



Subpoena Duces Tecum

RHONDA FORSBERG SUBPOENA DUCES TECUM PAGE 11

09/11/2020



Subpoena Duces Tecum

Filed by: Counter Defendant Colt, Mary-Anne

RHONDA FORSBERG SUBPOENA DUCES TECUM PAGE 12

09/16/2020



Motion to Set Aside

Filed by: Counter Defendant Colt, Mary-Anne

Motion To Set Aside

09/16/2020



Motion to Set Aside

Filed by: Counter Defendant Colt, Mary-Anne

MOTION TO SET ASIDE

09/16/2020



Motion to Set Aside

MOTION TO SET ASIDE

09/16/2020



Motion to Set Aside

Filed by: Counter Defendant Colt, Mary-Anne

MOTION TO SET ASIDE

09/16/2020



Motion to Set Aside

Filed by: Counter Defendant Colt, Mary-Anne

MOTION TO SET ASIDE

09/17/2020



Certificate of Service

Filed by: Plaintiff Colt, Mary-Anne

Certificate of Service

09/17/2020



Certificate of Service

Filed by: Plaintiff Colt, Mary-Anne

Certificate of Service

09/17/2020



Certificate of Service

Filed by: Plaintiff Colt, Mary-Anne

Certificate of Service

09/17/2020



Certificate of Service

Robert Cerceo MTSA 1 SERVICE

09/21/2020



Notice of Hearing

Notice of Hearing

10/15/2020



Amended Notice

Filed by: Counter Defendant Colt, Mary-Anne

*(**Bundled**) Amended motion and Notice of Motion To Set Aside Orded, Judgment, And/Or Default, Certificate of Service, Note of Memoradum*

10/15/2020







Amended Motion

Filed by: Plaintiff Colt, Mary-Anne

Amended Plaintiff's Motion and Notice of Motion to Set Aside Order, Judgment, and/or Default

CASE SUMMARY

CASE NO. D-17-560076-C

10/15/2020	 Certificate of Service Filed by: Plaintiff Colt, Mary-Anne <i>Certificate of Service</i>
10/15/2020	 Certificate of Service Filed by: Plaintiff Colt, Mary-Anne <i>Certificate of Service</i>
10/15/2020	 Certificate of Service Filed by: Plaintiff Colt, Mary-Anne <i>Certificate of Service</i>
10/15/2020	 Notice Filed By: Plaintiff Colt, Mary-Anne <i>Note of Memorandum Regarding Amended Changes to Motion and Notice of Motion to Set Aside Order, Judgment, and/or Default</i>
10/16/2020	 Clerk's Notice of Nonconforming Document and Curative Action <i>Notice of Nonconforming Document (Bundled All Together)</i>
10/16/2020	 Notice of Hearing <i>Notice of Hearing</i>
11/02/2020	 Order <i>Order After Hearing on September 8, 2020</i>
11/03/2020	 Notice of Entry of Order Filed By: Counter Claimant Plummer, Alysa Marie <i>Notice of Entry of Order After Hearing on September 8, 2020</i>
11/07/2020	 Opposition to Motion Filed by: Attorney Hurtik, Carrie E.; Counter Claimant Plummer, Alysa Marie <i>Defendant Alysa Plummer's Opposition to Motion to Set Aside Order</i>
11/08/2020	 Ex Parte Motion Filed by: Plaintiff Kanter, Stacey <i>Ex Parte Motion for Return of Child(ren)</i>
11/08/2020	 Certificate of Service Filed by: Plaintiff Kanter, Stacey <i>Certificate of Service</i>
11/13/2020	 Subpoena Filed By: Counter Claimant Plummer, Alysa Marie <i>Subpoena for Hannah Hart</i>
11/13/2020	 Amended Filed By: Counter Defendant Colt, Mary-Anne <i>2 Amended Motion and Notice of Motion to Set Aside Order, Judgement, and/or Default</i>
11/16/2020	 Exhibits Filed By: Plaintiff Kanter, Stacey <i>Exhibits in Support of Plaintiff's Motion and Motion to Strike the Testimony of Defendant's Witness, Cheryl Kegley and Krystal Whipple; Request for Brief Focused Assessment and Access to Updated CPS Records</i>
11/16/2020	 Family Court Motion Opposition Fee Information Sheet Filed by: Counter Defendant Colt, Mary-Anne <i>Family Court Motion Opposition Fee Information Sheet</i>
11/16/2020	 Reply to Opposition Filed by: Counter Defendant Colt, Mary-Anne REPLY TO OPPOSITION TO DEFENDANT ALYSA PLUMMER'S MOTION TO SET ASIDE ORDER, JUDGMENT, AND/OR DEFAULT
11/16/2020	


















CASE SUMMARY

CASE NO. D-17-560076-C

	 Miscellaneous Filing Party: Plaintiff Kanter, Stacey <i>Text Messages between Stacey and Preston's in home counselor Katie Thibeaux</i>
11/17/2020	 Notice of Hearing <i>Notice of Hearing</i>
11/20/2020	 Subpoena Filed By: Counter Claimant Plummer, Alysia Marie <i>Subpoena for Hannah Hart</i>
11/23/2020	 Order <i>for Supervised Exchange at Donna's House</i>
01/04/2021	Administrative Reassignment - Judicial Officer Change <i>Judicial Reassignment to Judge Sunny Bailey</i>
01/07/2021	 Subpoena Filed By: Counter Claimant Plummer, Alysia Marie <i>Trial Subpoena for Hannah Hart (Minor Child Preston Colt's Therapist)</i>
01/09/2021	 Designation of Witness Filed by: Counter Claimant Plummer, Alysia Marie <i>Alysia Plummer's Supplemental Designation of Witness</i>
01/09/2021	 Subpoena Filed By: Counter Claimant Plummer, Alysia Marie <i>Trial Subpoena for Michelle Cody at Hope Counseling</i>
01/09/2021	 Subpoena Filed By: Counter Claimant Plummer, Alysia Marie <i>Trial Subpoena for Katherine Moldovan at Hope Counseling</i>
01/10/2021	 Subpoena Filed By: Plaintiff Kanter, Stacey <i>Katie Thibeaux Hope Counselor Subpoena</i>
01/10/2021	 Subpoena Filed By: Plaintiff Kanter, Stacey <i>Third Request for Records from Hope Counseling</i>
01/10/2021	 Ex Parte Motion Filed by: Plaintiff Kanter, Stacey <i>Ex Parte Motion for Continuance (Bundle)</i>
01/10/2021	 Ex Parte Motion Filed by: Plaintiff Kanter, Stacey <i>Ex Parte Motion for Continuance</i>
01/10/2021	Ex Parte Motion Filed by: Plaintiff Kanter, Stacey <i>Ex Parte Motion for Continuance.</i>
01/10/2021	 Notice of Entry of Order Filed By: Plaintiff Kanter, Stacey <i>Notice of Entry of Order.</i>
01/11/2021	 Subpoena Filed By: Counter Defendant Colt, Mary-Anne <i>Subpoena D.S.</i>
01/11/2021	 Subpoena Filed By: Counter Defendant Colt, Mary-Anne <i>***NOT ISSUED*** Incorrect Filing Code Used [Subpoena K.T.]</i>
01/11/2021	

CASE SUMMARY

CASE NO. D-17-560076-C

	 Continuance or New Court Date Filed by: Counter Defendant Colt, Mary-Anne <i>CONTINUANCE</i>
01/11/2021	 Subpoena Filed By: Counter Defendant Colt, Mary-Anne <i>Subpoena D.S.</i>
01/11/2021	 Subpoena Filed By: Counter Defendant Colt, Mary-Anne <i>Subpoena K.T.</i>
01/12/2021	 Opposition Filed By: Plaintiff Kanter, Stacey <i>Plaintiff's Objection to Subpoena New Witnesses</i>
01/12/2021	 Subpoena Filed By: Plaintiff Kanter, Stacey <i>Subpoena CPS Records Dorina Slater</i>
01/13/2021	 Certificate of Service Filed by: Plaintiff Kanter, Stacey <i>Certificate of Service**Bundled Filing</i>
01/13/2021	 Certificate of Service Filed by: Plaintiff Kanter, Stacey <i>Cert of service for Subpoena to Hope for Katie Thibeaux</i>
01/13/2021	 Certificate of Service Filed by: Plaintiff Kanter, Stacey <i>Proof of Service Hope counseling records request</i>
01/13/2021	 Certificate of Service Filed by: Plaintiff Kanter, Stacey <i>Proof of service CPS request Dorina Slater</i>
01/13/2021	 Certificate of Service Filed by: Plaintiff Kanter, Stacey <i>Certificate of Service</i>
01/13/2021	 Notice of Entry of Order Filed By: Plaintiff Kanter, Stacey <i>Notice of Entry of Order</i>
01/14/2021	 Clerk's Notice of Nonconforming Document <i>Clerk's Notice of Nonconforming Document</i>
01/14/2021	 Motion to Disqualify Attorney Filed by: Counter Defendant Colt, Mary-Anne <i>MOTIODISQUALIFYHL&A</i>
01/14/2021	 Motion to Disqualify Attorney Filed by: Counter Defendant Colt, Mary-Anne <i>MTSA</i>
01/14/2021	 Subpoena Filed By: Counter Claimant Plummer, Alysa Marie <i>Trial Subpoena for Krystal Whipple</i>
01/16/2021	 Order <i>Order after November 23, 2020 Hearing,4825-0924-6675,3,3</i>
01/19/2021	 Notice of Entry of Order Filed By: Guardian Ad Litem Cerceo, Robert

CASE SUMMARY

CASE NO. D-17-560076-C

Notice of Entry of Order from November 23, 2020 Hearing

01/20/2021



Exhibits

Filed By: Plaintiff Kanter, Stacey
Police Reports

01/20/2021



Exhibits

Filed By: Plaintiff Kanter, Stacey
Police Records 2

01/20/2021



Exhibits

Filed By: Plaintiff Kanter, Stacey
Police Records 3

01/20/2021



Exhibits

Filed By: Plaintiff Kanter, Stacey
Police Audio

01/20/2021



Exhibits

Filed By: Plaintiff Kanter, Stacey
Burn Marks 1

01/20/2021



Exhibits

Filed By: Plaintiff Kanter, Stacey
Family Pictures on visitation

01/20/2021



Exhibits

Filed By: Plaintiff Kanter, Stacey
Burn Marks 2

01/20/2021



Exhibits

Filed By: Plaintiff Kanter, Stacey
Pictures of Alysa assault on Brett Wulf

01/20/2021



Exhibits

Filed By: Plaintiff Kanter, Stacey
Stacey's Video/Metadata

01/20/2021



Exhibits

Filed By: Plaintiff Kanter, Stacey
Report card/ Pictures of cut on head

01/20/2021



Exhibits

Filed By: Plaintiff Kanter, Stacey
Police Reports for Burns

01/20/2021



Certificate of Service

Filed by: Plaintiff Kanter, Stacey
Certificate of Service 11 16.2

01/20/2021



Exhibits

Filed By: Plaintiff Kanter, Stacey
Police Records Alysa DV and burn marks

01/20/2021



Exhibits

Filed By: Plaintiff Kanter, Stacey
Alysa and her family Domestic violence police reports

01/20/2021



Exhibits

Filed By: Plaintiff Kanter, Stacey
Burn Marks Sept

01/22/2021



















Motion

Filed By: Plaintiff Kanter, Stacey
Pltf's Motion for Hearing Continuance and Request for Updated Hope Counseling Records and Updated CPS

CASE SUMMARY





CASE NO. D-17-560076-C

Records


01/22/2021	 Ex Parte Filed By: Plaintiff Kanter, Stacey <i>EXPARTE FOR CONTINUANCE</i>
01/22/2021	 Certificate of Service Filed by: Plaintiff Kanter, Stacey <i>CERT SERVICE CONTINUANCE MOTION, OST, EXPT</i>
01/22/2021	 Notice of Hearing <i>Notice of Hearing</i>
01/25/2021	 Clerk's Notice of Nonconforming Document <i>Clerk's Notice of Nonconforming Document</i>
01/27/2021	 Exhibits Filed By: Plaintiff Kanter, Stacey <i>Exhibit 13th 16.2</i>
01/27/2021	 Exhibits Filed By: Plaintiff Kanter, Stacey <i>Fifth 16.2 School Records</i>
01/27/2021	 Motion for Order Filed by: Plaintiff Kanter, Stacey <i>Dr Hollands Request for continuance</i>
01/28/2021	 Order <i>Order Striking</i>
01/28/2021	 Miscellaneous Filing Party: Plaintiff Kanter, Stacey <i>Dr Hollands request for continuance</i>
01/28/2021	 Motion Filed By: Plaintiff Kanter, Stacey <i>Plaintiff's Motion for Hearing Continuance and Request for Updated Hope Counseling Records and Updated CPS Records</i>
01/28/2021	 Motion Filed By: Plaintiff Kanter, Stacey <i>Motion for continuance and Dr Hollands request</i>
01/28/2021	 Clerk's Notice of Nonconforming Document <i>Clerk's Notice</i>
01/28/2021	 Notice of Hearing <i>Notice of Hearing</i>
02/01/2021	 Ex Parte Motion Filed by: Counter Defendant Colt, Mary-Anne <i>Ex Parte Motion for Continuance</i>
02/01/2021	 Notice of Entry of Order/Judgment Filed by: Counter Defendant Colt, Mary-Anne <i>Notice of Entry of Order/Judgment</i>
02/01/2021	 Certificate of Service Filed by: Plaintiff Colt, Mary-Anne <i>Certificate of Service - Hurtik Law</i>
02/01/2021	 Certificate of Service Filed by: Plaintiff Colt, Mary-Anne <i>Certificate of Service - Roberto Cerceo</i>

CASE SUMMARY


CASE NO. D-17-560076-C

02/01/2021	 Certificate of Service Filed by: Plaintiff Colt, Mary-Anne <i>Certificate of Service - Stacey Kanter</i>
02/04/2021	 Clerk's Notice of Nonconforming Document <i>Nonconforming Notice</i>
02/18/2021	 Decision and Order <i>Decision and Order</i>
02/19/2021	 Notice of Entry of Order Filed By: Subject Minor Colt, Preston <i>Notice of Entry of Decision and Order</i>
02/19/2021	 Notice of Withdrawal Filed by: Subject Minor Colt, Preston <i>Notice of Withdrawal of Counsel</i>
03/17/2021	 Notice of Appeal Filed By: Counter Defendant Colt, Mary-Anne <i>(**Bundled**) JOINT NOTICE OF APPEAL AND TWO CERTIFICATES OF SERVICE</i>
03/17/2021	 Application to Proceed in Forma Pauperis Filed By: Counter Defendant Colt, Mary-Anne <i>Application to Proceed in Forma Pauperis**Bundled Filing</i>
03/18/2021	 Amended Notice of Appeal <i>Amended Notice of Appeal**Bundled Filing</i>
03/18/2021	 Application to Proceed in Forma Pauperis Filed By: Counter Defendant Colt, Mary-Anne <i>Application and Affidavit to Proceed in Forma Pauperis for transcripts recordings and transcript fees,</i>
03/18/2021	 Reporters Transcript <i>REQUEST TRANSCRIPT</i>
03/19/2021	 Case Appeal Statement Filed By: Counter Defendant Colt, Mary-Anne; Plaintiff Kanter, Stacey <i>Case Appeal Statement</i>

HEARINGS

12/13/2017	 Motion (1:30 PM) (Judicial Officer: Moss, Cheryl B.) Events: 10/17/2017 Motion <i>Motion for Temporary Child Custody</i> 01/29/2018 Reset by Court to 12/13/2017
------------	--

MINUTES

 Motion
Filed By: Counter Defendant Colt, Mary-Anne
Party 2: Counter Claimant Plummer, Alys Marie
Motion for Temporary Child Custody

Evidentiary Hearing;
Journal Entry Details:

MOTION FOR TEMPORARY CHILD CUSTODY Parties sworn and testified. Discussion by Counsel and Defendant/Mother regarding proceeding with custody or visitation rights for Paternal Grandmother. Defendant/Mother stated she would like to move to the State of Washington. Upon Court's inquiry, Defendant/Mother stated she is willing to stay in Nevada until the case is resolved. COURT NOTES, father's death certificate indicates he passed away from a drug overdose of cocaine and heroin. COURT ORDERED the following: 1. TEMPORARILY, Defendant/Mother shall retain SOLE LEGAL and SOLE PHYSICAL CUSTODY. 2. The child shall remain in NEVADA until the case is resolved. 3. TEMPORARILY and WITHOUT PREJUDICE, Plaintiff/Paternal Grandmother shall have VISITATION with the child commencing on 12/15/17 from Friday at 5:30 p.m. until Sunday at 5:30 p.m. and alternate weekends. Parties shall exchange the child at the front gate of the Family Court House. Parties shall have a thirty (30) minute window to exchange the child. 4. Parties shall

CASE SUMMARY

CASE NO. D-17-560076-C

enroll in TALKINGPARENTS.COM and communicate regarding child related issues only. 5. Father, Sean Paul Michael's DEATH CERTIFICATE is LEFT-SIDE FILED. 6. Parties are ISSUED a BEHAVIOR ORDER. Order FILED IN OPEN COURT. 7. Parties are REFERRED to the Family Mediation Center (FMC) for Mediation with Domestic Violence Protocol and a one hour observation between the child and Defendant/Mother and another observation between the child and Plaintiff/Paternal Grandmother. Defendant/Mother's FEES are WAIVED. Plaintiff/Paternal Grandmother shall pay no more than \$50.00. Order for Family Mediation Services FILED IN OPEN COURT. A Return Hearing is SET for 3/21/18 at 10:00 a.m. 8. The Court shall request CPS RECORDS. Order FILED IN OPEN COURT. 9. PHONE CALLS and VIDEO CALLS shall be left up to Paternal Grandmother and Mother to discuss. The Court will follow up on whether Paternal Grandmother received any calls. 9. Calendar Call is set for 7/25/18 at 9:30 a.m. Discovery closes at Calendar Call. Pre-Trial Memos along with the final List of Witnesses and Exhibits are due on or before Calendar Call. 10. Evidentiary Hearing re: Paternal Grandmother's Motion (Stack #1) is SET for 8/23/18 at 9:30 a.m. 11. Case Management Order SIGNED and FILED IN OPEN COURT. Copies were provided to the parties IN OPEN COURT. 12. DIRECT CONTEMPT OF COURT and other sanctions against the Defendant/Mother are STAYED. Attorney Grigsby shall prepare an Order for Direct Contempt and bring it to the next hearing. 13. PURGE CLAUSE issued to Plaintiff/Mother to comply and follow the Court's orders or be held in Contempt of Court. 14. Defendant/Mother's Order to Proceed In Forma Pauperis for filing fee only was SIGNED IN OPEN COURT and returned to her for filing along with her Answer and Counterclaim and her Financial Disclosure Form (FDF). Attorney Grigsby shall prepare the Order from today's hearing.; Evidentiary Hearing

03/21/2018



Return Hearing (10:00 AM) (Judicial Officer: Moss, Cheryl B.)

Events: 12/13/2017 Order for Family Mediation Center Services
FMC: Mediation and a one hour observation

MINUTES



Order for Family Mediation Center Services

Order for Family Mediation Center Services

Matter Heard;

Journal Entry Details:

RETURN HEARING: FMC MEDIATION AND A ONE HOUR OBSERVATION Defendant/Mother sworn and testified. Plaintiff/Paternal Grandmother not present. Defendant/Mother stated Paternal Grandmother made a referral to CPS against her. Defendant/Mother further stated she will attempt to retain counsel from the Legal Aid Center of Southern Nevada. Attorney Grigsby represented Defendant/Mother previously stated she was not going to participate with the visits; however, Defendant/Mother has been exercising her visits as ordered by the Court. COURT NOTES, the Parties did not reach an agreement at Mediation. COURT ORDERED the following: 1. A blank Pre-Trial Memo was given to the Defendant/Mother. 2. Behavior Order STANDS. 3. Both parties shall return the child with the shoes and clothes he was dropped off with and the clothes shall be clean. 4. The Court shall order UPDATED CPS RECORDS. Order SIGNED and FILED IN OPEN COURT. 5. The Order for Defendant/Mother being in Contempt of Court was SIGNED and FILED IN OPEN COURT and Defendant/Mother was served in open court. 6. Calendar Call set for 7/25/18 at 9:30 a.m. STANDS. 7. Evidentiary Hearing is set for 8/23/18 at 9:30 a.m. STANDS. 8. Court encouraged the Defendant/Mother to keep a diary journal on a calendar regarding the visits with the child. 9. Parties may submit a Stipulation and Order to change Defendant/Mother's visitation schedule. No order is necessary from today's hearing. Paternal Grandmother appeared. Discussion regarding the visitation schedule. COURT FURTHER ORDERED the following: 10. Visitation shall remain STATUS QUO. 11. Parties may change the custodial schedule, week to week, on TALKINGPARENTS.COM. One party shall send the other party a text and the other party shall respond.;

Matter Heard

07/25/2018

Calendar Call (9:30 AM) (Judicial Officer: Moss, Cheryl B.)

Events: 06/11/2018 Order Setting Evidentiary Hearing

Matter Heard;

Matter Heard

07/25/2018

Motion (9:30 AM) (Judicial Officer: Moss, Cheryl B.)

Events: 06/29/2018 Motion

Atty Grigsby Motion to Withdraw

08/06/2018 Reset by Court to 07/25/2018

Granted;

Granted

07/25/2018

Motion (9:30 AM) (Judicial Officer: Moss, Cheryl B.)

Motion to Withdraw

Granted;

Granted

CASE SUMMARY

CASE NO. D-17-560076-C

07/25/2018



All Pending Motions (9:30 AM) (Judicial Officer: Moss, Cheryl B.)

Matter Heard;

Journal Entry Details:

CALENDAR CALL...ATTORNEY GRIGSBY'S MOTION TO WITHDRAW Parties sworn and testified. COURT NOTES, Mother was hospitalized on 6/3/18 and placed on a Legal 2000 hold, the petition was dismissed on 6/8/18 under case M-12-140769-M. Mother stated she her roommate called the ambulance and she woke up at the hospital unaware how she got to the hospital. Mother further stated she took five (5) Tylenol PM to sleep. Both parties requested a continuance of the trial set for 8/23/18. COURT FURTHER NOTES, Paternal Grandmother and Mother are working together. COURT ORDERED the following: 1. Attorney Grigsby's Motion to Withdraw is GRANTED. Attorney Grigsby may submit an Order to Withdraw. 2. Mother's CHANGE OF ADDRESS was FILED IN OPEN COURT. 3. EXCHANGES shall occur at the Main Entrance of Red Rock Casino near Lucille's BBQ or per mutual agreement through TalkingParents. 4. HOLIDAYS shall be per mutual agreement or parties may file a motion. 5. Discovery closes on 1/18/19. Pre-Trial Memos along with the final List of Witnesses and Exhibits are due on or before the close of Discovery. A blank copy of the Pre-Trial Memos were provided to the parties. 6. Evidentiary Hearing (Stack #1) set for 8/23/18 at 9:30 a.m. is VACATED and SET for 2/19/19 at 1:30 p.m. 7. Amended Case Management Order SIGNED and FILED IN OPEN COURT. ; Matter Heard

08/23/2018

CANCELED Evidentiary Hearing (9:30 AM) (Judicial Officer: Moss, Cheryl B.)

Vacated - per Judge

Evidentiary Hearing (Stack #1) re: Paternal's Grandmother's motion

10/08/2018

Motion (9:00 AM) (Judicial Officer: Moss, Cheryl B.)

Events: 08/23/2018 Motion

Pltf.'s Emergency Motion For Modification Of Temporary Orders Of Custody And Visitation, For Attorneys Fees And Costs, And For Other Related Relief

Matter Heard;

Matter Heard

10/08/2018

Opposition & Countermotion (9:00 AM) (Judicial Officer: Moss, Cheryl B.)

Events: 09/12/2018 Opposition and Countermotion

Def't's Opposition Answer and Counterclaim to Motion for Modification of Temporary Order of Custody and Visitation

Matter Heard;

Matter Heard

10/08/2018

Hearing (9:00 AM) (Judicial Officer: Moss, Cheryl B.)

Reply In Support Of Plaintiff's Emergency Amended Motion For Modification Of Temporary Orders Of Custody And Visitation, For Attorneys Fees And Costs, And For Other Related Relief

Matter Heard;

Matter Heard

10/08/2018



All Pending Motions (9:00 AM) (Judicial Officer: Moss, Cheryl B.)

Matter Heard;

Journal Entry Details:

PLAINTIFF'S EMERGENCY MOTION FOR MODIFICATION OF TEMPORARY ORDERS OF CUSTODY AND VISITATION, Attorney Mark Anderson, Bar #606, present for Attorney Kurt Smith on behalf of Plaintiff/Paternal Grandmother. The Department of Family Services (DFS) represented by Tyonte Daniel. DFS is accessing for impending danger, they have not found present danger to remove the child from Mother's care. Attorney Anderson represented Metro is investigating and there is an open case. Attorney Anderson alleged the child has cigarette burn marks and his toes were smashed with rocks by Mother. Attorney Anderson further represented Mother was hospitalized on August 10, 2018. Mother stated she was hospitalized for broken ribs and she was not Legal 2000. Mother stated she will not cooperate with Orders from the Court and she will not disclose the child's location or the name of the school. Upon Court's inquiry, Mother stated she took a drug test for urine on 10/5/18. COURT NOTES, the Abuse/Neglect Specialist from Metro is Cheryl Kegley. COURT STATED IT'S FINDINGS AND ORDERED the following: 1. CUSTODY shall remain STATUS QUO, Mother shall have custody and Paternal Grandmother shall continue to have visitation every other weekend. Paternal Grandmother shall start visitation the weekend of 10/12/18 and parties shall alternate thereafter. 2. On Friday, 10/12/18, Paternal Grandmother shall pick-up the child after school and return the child at the usual time on Sunday, 10/14/18 at Family Court. Mother shall NOT be present when Paternal Grandmother picks up the child from school. Attorney Anderson may submit a Pick-up Order in the event Mother does not cooperate with the custodial schedule. 3. When there is no school, all exchanges shall occur at Family Court. 4. Paternal Grandmother's three (3) days of COMPENSATORY VISITATION is DEFERRED to trial. 5. Counsel may subpoena Metro. 6. Mother shall sign a HIPAA RELEASE. Medical records shall be sent to Department I's chambers. Counsel may review the records in chambers under CONFIDENTIAL GAG ORDER. 7. CPS records provided to Attorney Anderson under CONFIDENTIAL GAG ORDER. 8. DFS is invited to appear at the next hearing. 9. Both parties are REFERRED to the American Toxicology Institute (ATI) for drug testing to include hair and urine. Mother shall pay for

CASE SUMMARY

CASE NO. D-17-560076-C

Paternal Grandmother's drug test and Paternal Grandmother shall pay for Mother's drug test. Referral is LEFT-SIDE FILED. A 72 hour hearing may be set pending the drug test results. Both parties and Counsel may contact chambers to obtain the drug test results. 10. The Court shall obtain the drug test results from DFS that Mother took on 10/5/18. 11. Paternal Grandmother may request a Motion for a new hearing based on new evidence from Metro. 12. Court shall obtain updated CPS RECORDS upon completion of their case. 13. Mother is in DIRECT CONTEMPT OF COURT based on her admissions in the court room, with the purge clause that Mother may be released upon providing the child's school information. Mother is RELEASED to take the drug test and she shall not be taken into custody. 14. Attorney Anderson shall prepare a Subpoena Order from Clark County School District (CCSD) by 10/12/18 to obtain the child's school information. Attorney Anderson shall file notification with the Court and contact chambers that the child's school has been identified. 15. If Mother or Maternal Grandmother hide the child, Paternal Grandmother shall have the Pick-Up Order in effect and the child shall be reported as a missing person. 16. Documents provided by Mother were LEFT-SIDE FILED. 17. There shall be no return hearing; however, if there is new evidence then Parties may file a request for Motion. 18. Evidentiary Hearing (Stack 1) set for 2/19/19 at 1:30 p.m. STANDS. Attorney Anderson shall prepare a Subpoena Order and a Pick-Up Order.;

Matter Heard

11/08/2018



Minute Order (8:00 AM) (Judicial Officer: Moss, Cheryl B.)

Minute Order - No Hearing Held;

Journal Entry Details:

MINUTE ORDER NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.501(b), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed. This Court has read and considered the current underlying pleadings in this matter. The Defendant/Mom, has failed to comply with EDCR 5.206 by failing to file proof of service for the Motion she filed on October 11, 2018. Therefore, the Motion hearing scheduled for November 13, 2018 at 9:30am, is taken off calendar for failure to serve. Defendant/Mom, may re-notice the Motion through the Clerk's Office to put the matter back on calendar but must file proper Proof of Service of both the Re-Notice and the Motion on the other party. So Ordered. A copy of this court minute order shall be served on all parties. ;

Minute Order - No Hearing Held

11/13/2018

CANCELED Motion (9:30 AM) (Judicial Officer: Moss, Cheryl B.)

Vacated - per Judge

Def's Motion and Notice of Motion for Orders to Modify Child Custody, Visitation, and/or Child Support

12/13/2018

Opposition & Countermotion (1:30 PM) (Judicial Officer: Moss, Cheryl B.)

Events: 11/15/2018 Opposition and Countermotion

Pltf's Opposition to Motion to Modify Custody, Visitation, and/or Child Support and Countermotion for Modification of Temporary Orders of Custody and Visitation, for an Order to Show Cause, for Attys' Fees and Costs, and for Other Related Relief

12/17/2018 Reset by Court to 12/13/2018

Matter Heard;

Matter Heard

12/13/2018

Motion (1:30 PM) (Judicial Officer: Moss, Cheryl B.)

Events: 10/11/2018 Motion

Def't's Motion and Notice of Motion for Orders to Modify Child Custody, Visitation, and/or Child Support

12/17/2018 Reset by Court to 12/13/2018

Matter Heard;

Matter Heard

12/13/2018



All Pending Motions (1:30 PM) (Judicial Officer: Moss, Cheryl B.)

MINUTES

Matter Heard;

Journal Entry Details:


DEFENDANT'S MOTION AND NOTICE OF MOTION FOR ORDERS TO MODIFY CHILD CUSTODY, VISITATION, AND/OR CHILD SUPPORT... PLAINTIFF'S OPPOSITION TO MOTION TO MODIFY CUSTODY, VISITATION, AND/OR CHILD SUPPORT AND COUNTERMOTION FOR MODIFICATION OF TEMPORARY ORDERS OF CUSTODY AND VISITATION, FOR AN ORDER TO SHOW CAUSE, FOR ATTORNEY'S FEES AND COSTS, AND FOR OTHER RELATED RELIEF Attorney Rob Schmidt, Bar #14611, appeared as co-counsel with Attorney Carol Barnes on behalf of Paternal Grandmother/Plaintiff. Attorney Rhonda Forsberg, Bar #9557, appeared in an UNBUNDLED CAPACITY on behalf of the Defendant/Mother. Metro Detective, Cheryl Kedley, present from the Child Abuse and Neglect unit. Discussion by the Parties. Court expressed concern the child is making statements that his brain hurts. Upon Court's inquiry, Mother represented the child is enrolled in counseling, every Thursday. Attorney Barnes provided blank HIPAA releases to Attorney

CASE SUMMARY

CASE NO. D-17-560076-C

Forsberg for Mother to sign. Mother represented she will be moving to Oklahoma. COURT FINDS the following: 1. Mother is not unfit. 2. There were thirty (30) calls to CPS and only one has been substantiated. COURT ORDERED the following: 1. Paternal Grandmother's Motion and request for an Order to Show Cause is DENIED without prejudice. 2. Mother shall have SOLE LEGAL and SOLE PHYSICAL CUSTODY. 3. The child's contact with Paternal Grandmother is SUSPENDED with the exception of one (1) supervised visit at Donna's house on 12/26/18 to include Paternal Grandmother and three (3) paternal aunts. Order for Supervised Visitation SIGNED and FILED IN OPEN COURT. 4. The child shall be enrolled in weekly COUNSELING. 5. ATTORNEY'S FEES DEFERRED. 6. Evidentiary Hearing (Stack 1) SET for 2/19/19 at 1:30 p.m. STANDS unless counsel stipulate to contact Department I's JEA and set the Evidentiary Hearing for March 2019. Attorney Forsberg shall prepare the Order from today's hearing. CLERK'S NOTE: Attorney Forsberg is not available on Tuesdays. (EC);
Matter Heard

01/11/2019

 **Motion** (10:45 AM) (Judicial Officer: Moss, Cheryl B.)

Events: 12/27/2018 Notice of Motion

Pltf.'s Motion to Continue Trial

02/11/2019 Reset by Court to 01/11/2019

MINUTES



Notice of Motion

Filed By: Counter Defendant Colt, Mary-Anne

Plaintiff's Motion to Continue Trial

Granted;

Journal Entry Details:

PLAINTIFF'S MOTION TO CONTINUE TRIAL Attorney Rob Schmidt, Bar #14611, appeared as co-counsel with Attorney Carol Barnes on behalf of Paternal Grandmother/Plaintiff. Attorney Barnes represented Plaintiff/Paternal Grandmother could not be present as she has the flu. Discussion by the parties. Mother represented she would like to move to Oklahoma to care for her grandmother. COURT ORDERED the following: 1. Mother shall file an Opposition to the Motion to Intervene within ten (10) business days and Counsel shall file a Reply within five (5) days from today's date, 1/11/19. 2. Mother shall file a Motion to Relocate which shall be heard on 2/19/19 at 1:30 p.m. 3. Mother shall file a Motion with the Discovery Commissioner requesting ATTORNEY'S FEES and to stop Opposing Counsel from obtaining her medical information. 4. Mother shall e-mail Attorney Barnes a blank HIPAA RELEASE for Paternal Grandmother to sign. 5. Parties are REFERRED to the Family Mediation Center (FMC) for a child interview and child observation with Paternal Aunt, Stacey Kanter, on 1/29/19 at 4:00 p.m. Order for Family Mediation Services SIGNED and FILED IN OPEN COURT. A Return Hearing is set for 2/19/19 at 1:30 p.m. Mother shall drop off the child at 3:50 p.m. and Stacey Kanter shall not appear to FMC earlier than 4:00 p.m. If Mother does not take the child to FMC, Stacey Kanter, may submit a pick-up Order for purposes of taking the child to FMC and release the child back to Mother once the observation and interview are completed. 6. Paternal Aunt Stacey Kanter's Motion to Intervene set for 2/19/19 at 9:00 a.m. is VACATED and RESET to 2/19/19 at 1:30 p.m. 7. The Evidentiary Hearing set for 2/19/19 at 1:30 p.m. is VACATED to be reset by Department I's Judicial Executive Assistant (JEA) between 4/15/19 and 6/30/19. 8. Discovery is EXTENDED for ninety (90) days from today's date, 1/11/19.;
Granted

02/19/2019

Motion (1:30 PM) (Judicial Officer: Moss, Cheryl B.)

Pltf's Motion to Intervene and for Expert Witness to Testify Via Video Conference and for Related Relief

02/19/2019 Reset by Court to 02/19/2019

02/19/2019 Reset by Court to 02/19/2019

Matter Heard;

Matter Heard

02/19/2019

Return Hearing (1:30 PM) (Judicial Officer: Moss, Cheryl B.)

Events: 01/11/2019 Order for Family Mediation Center Services

FMC child interview and observation

02/19/2019 Reset by Court to 02/19/2019

Matter Heard;

Matter Heard

02/19/2019

Opposition (1:30 PM) (Judicial Officer: Moss, Cheryl B.)

Events: 02/01/2019 Opposition

Defendant Alysa Plummer's Opposition to Plaintiff's Motion to Intervene and for Expert Witness to Testify via Video Conference and for Related Relief

02/19/2019 Reset by Court to 02/19/2019

Matter Heard;

Matter Heard

CASE SUMMARY

CASE NO. D-17-560076-C

02/19/2019

Hearing (1:30 PM) (Judicial Officer: Moss, Cheryl B.)

Events: 02/01/2019 Opposition

Reply to Defendant's, Alysa Plummer's Opposition to Plaintiff's Motion to Intervene and for Expert Witness to Testify via Video Conference and for Related Relief

02/19/2019 Reset by Court to 02/19/2019

Matter Heard;

Matter Heard

02/19/2019



All Pending Motions (1:30 PM) (Judicial Officer: Moss, Cheryl B.)

MINUTES

Matter Heard;

Journal Entry Details:

RETURN HEARING: FMC CHILD INTERVIEW AND OBSERVATION...PLAINTIFF'S MOTION TO INTERVENE AND FOR EXPERT WITNESS TO TESTIFY VIA VIDEO CONFERENCE AND FOR RELATED RELIEF...DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION TO INTERVENE AND FOR EXPERT WITNESS TO TESTIFY VIA VIDEO CONFERENCE AND FOR RELATED RELIEF...PLAINTIFF'S REPLY TO DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION TO INTERVENE AND FOR EXPERT WITNESS TO TESTIFY VIA VIDEO CONFERENCE AND FOR RELATED RELIEF Attorney Rob Schmidt, Bar #14611, present as co-counsel with Attorney Carol Barnes for Plaintiff/Paternal Grandmother and Paternal Aunt, Stacey Kanter. Attorney Linda Lay, Bar #12990, present on behalf of the Defendant/Mother in an UNBUNDLED PRO BONO capacity. Discussion by the Parties regarding Paternal Aunt's motion to Intervene and Dr. Grossman's video testimony. Court reviewed the child interview. COURT STATED IT'S FINDINGS and ORDERED the following: 1. Paternal Aunt, Stacey Kanter's Motion to Intervene is GRANTED. 2. Paternal Grandmother can visit the child while Paternal Aunt, Stacey Kanter, is present. 3. TEMPORARILY, effective 2/22/19, the child shall VISIT with Stacey Kanter on Fridays with pick-up after school at Twin Lakes Elementary School until Sundays at 9:55 a.m. with drop off at Abundant Grace Church on Rancho and Decatur. If there is a school holiday on Friday, parties shall exchange the child at 4:00 p.m. in front of Family Court. Ms. Kanter shall transport the child. There shall be no lingering. Parties can video record each other in person. Mother can take pictures before she drops off the child. Beginning 3/29/19, Mother shall have the last Friday of the month for the weekend. 4. The Court authorizes Stacey Kanter to be the only person to pick-up the child on Fridays, after school, at Twin Lakes Elementary School. 5. Mother and Paternal Aunt shall stay 20 feet away from each other and the child shall walk to his Mother. 6. Plaintiff's expert can appear via VIDEO CONFERENCE for trial. 7. Mother may file a Relocation motion with enough time to allow Petitioners to file a ten (10) day Opposition. 8. Discovery closes on 9/4/18. Pre-Trial Memos along with the final List of Witnesses and Exhibits are due on or before the close of Discovery. 9. Evidentiary Hearing (Stack #1) re: custody/visitation is SET for 7/10/19 at 9:00 a.m. (half day) and 7/11/19 at 9:00 a.m. (full day). Department I's Judicial Executive Assistant (JEA) shall work on providing the parties with the half day in the afternoon of 7/10/19. 10. Case Management Order SIGNED and FILED IN OPEN COURT. Attorney Barnes shall prepare the Order for today's hearing; Attorney Lay shall review and countersign.;

Matter Heard

02/19/2019

CANCELED Evidentiary Hearing (2:00 PM) (Judicial Officer: Moss, Cheryl B.)

Vacated - per Judge

Evidentiary Hearing (Stack 1)

04/12/2019



Minute Order (9:00 AM) (Judicial Officer: Moss, Cheryl B.)

Minute Order - No Hearing Held;

Journal Entry Details:

COURT MINUTE ORDER 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 2.23, this Court can grant the requested relief if there is no opposition timely filed. EDCR 2.20(e) provides in relevant part that failure of the opposing party to serve and file written opposition may be construed as an admission that the motion is meritorious and consent to granting the same. On March 14, 2019, Plaintiff/Paternal Grandmother Mary-Anne Colt s Attorney Carol Barnes filed a Notice of Motion and Motion and Notice of Motion to Withdraw as Attorney of Record. On March 14, 2019, Attorney Barnes filed a Certificate of Mailing. The Court finds there is proper proof of service to Plaintiff/Paternal Grandmother s last known address of record. Plaintiff/Paternal Grandmother did not timely file an Opposition. There being no opposition filed thereto, IT IS HEREBY ORDERED that Attorney Barnes Motion to Withdraw as Attorney of Record is granted. IT IS FURTHER ORDERED that the hearing for Attorney Barnes Motion and Notice of Motion to Withdraw as Attorney of Record set for April 17, 2019 at 2:30 a.m. is hereby Vacated. IT IS FURTHER ORDERED that Attorney Barnes shall prepare the Order conforming to this court minute order and serve all parties and Counsel via Notice of Entry of Order. A copy of this court minute order shall be served on both parties and Counsel. ;

Minute Order - No Hearing Held

04/17/2019

CANCELED Motion (2:30 AM) (Judicial Officer: Moss, Cheryl B.)

Vacated - per Judge

CASE SUMMARY

CASE NO. D-17-560076-C

Atty's Notice Of Motion And Motion To Withdraw As Atty Of Record

07/10/2019



Evidentiary Hearing (9:00 AM) (Judicial Officer: Moss, Cheryl B.)

Events: 02/19/2019 Trial Management Order

Evidentiary Hearing (Stack 1/HALF DAY) - Day1 re: custody/visitation

MINUTES

Matter Continued;

Journal Entry Details:

EVIDENTIARY HEARING (DAY 1) Attorney Carol Barnes, Bar #7985, appeared on behalf of the Intervenor/Paternal Aunt, Stacey Kanter, and Plaintiff/Paternal Grandmother, in an UNBUNDLED CAPACITY. Attorney Barnes' associate, Andrew Seprazik, Bar #15093 and Ms. Barnes' paralegal also present. Attorney Linda Lay, Bar #12990, present with Co-Counsel, Carrie Hurtik. Exclusionary Rule Invoked. Parties WAIVE opening statements. Testimony and Exhibits presented. Aaron McCook's DEPOSITION, PUBLISHED and FILED IN OPEN COURT per STIPULATION. CPS RECORDS admitted as COURT'S CONFIDENTIAL EXHIBIT 1 per STIPULATION. Parties STIPULATE to admit Plaintiff's Exhibit 3 - 113, 129 - 220, 242 - 252, 259 - 267, 276, 293 - 296. Parties STIPULATE to admit Defendant's Exhibit A - H. COURT ORDERED the following: 1. MATTER CONTINUED to Day 2 of the Evidentiary Hearing set for 7/11/19 at 9:00 a.m.;

Matter Continued

07/11/2019



Evidentiary Hearing (9:00 AM) (Judicial Officer: Moss, Cheryl B.)

Events: 02/19/2019 Trial Management Order

Evidentiary Hearing (Stack 1/FULL DAY) re: custody/visitation

MINUTES

Matter Continued;

Journal Entry Details:

EVIDENTIARY HEARING (DAY 2) Attorney Carol Barnes, Bar #7985, appeared on behalf of Paternal Aunt, Stacey Kanter, and Paternal Grandmother, in an UNBUNDLED CAPACITY. Attorney Barnes' associate, Andrew Seprazik, Bar #15093 and Ms. Barnes' paralegal also present. Attorney Linda Lay, Bar #12990, present with Co-Counsel, Carrie Hurtik on Mother's behalf. Testimony and Exhibits presented. Paternal Grandmother was removed from the Courtroom for her behavior. The Court will give Paternal Grandmother an opportunity to explain her behavior as to why the Court should not hold her in Contempt. COURT ORDERED the following: 1. TEMPORARILY, every other weekend, Paternal Aunt, Stacey Kanter, shall have VISITATION with the child on Fridays after school or if there is no school at 11:30 a.m. with exchanges at Mother's church until Monday morning drop off at school or if there is no school, the exchange shall occur at 9:30 a.m. at the Rebel Gas Station on Rainbow and Charleston. Demara and Statcey are authorized drivers. Paternal Aunt shall have the child beginning the weekend of 7/12/19. Stacey is approved to have VISITATION with the child and his half sibling, Ethan, from Thursday at 11:30 a.m. until Monday. Stacey shall provide as much notice to Mother as possible, parties may have to switch weekends. 2. Paternal Grandmother is REFERRED to the American Toxicology Institute (ATI) for a drug test to include hair and urine. Mother shall bear the cost. Referral is LEFT-SIDE FILED. 3. Therapist, Krystal Whipple, shall provide the court with updated records from June 2019 to date. 4. MATTER CONTINUED to Day 3 of the Evidentiary Hearing. Department I's Judicial Executive Assistant (JEA) shall confirm 8/21/19 at 9:00 a.m. if Krystal Whipple is available. Detective Cheryl Kegley may appear via video. Attorney Lay shall prepare the Order from today's hearing.;

Matter Continued

01/28/2020

Evidentiary Hearing (1:30 PM) (Judicial Officer: Moss, Cheryl B.)

Evidentiary Hearing - Day 3

Matter Continued;

Matter Continued

01/28/2020

Motion (1:30 PM) (Judicial Officer: Moss, Cheryl B.)

Plaintiff's Notice of Motion and Motion to Strike the Testimony of Defendant's Witnesses, Cheryl Kegley and Krystal Whipple; Request for Brief Focused Assessment and Access to Updated CPS Records

03/03/2020 Reset by Court to 01/28/2020

Matter Heard;

Matter Heard

01/28/2020

CANCELED Opposition (1:30 PM) (Judicial Officer: Moss, Cheryl B.)

Vacated - per Clerk

01/28/2020

Opposition (1:30 PM) (Judicial Officer: Moss, Cheryl B.)

Defendant's Opposition to Motion to Strike the Testimony of Defendant's Witnesses Cheryl Kegley and Krystal Whipple; Request for a Brief Focused Assessment and Access to Updated CPS Records

Matter Heard;

Matter Heard

CASE SUMMARY

CASE NO. D-17-560076-C

01/28/2020

Hearing (1:30 PM) (Judicial Officer: Moss, Cheryl B.)

Reply to Defendant's Opposition to Motion to Strike the Testimony of Defendant's Witnesses

Matter Heard;

Matter Heard

01/28/2020



All Pending Motions (1:30 PM) (Judicial Officer: Moss, Cheryl B.)

Matter Heard;

Journal Entry Details:

EVIDENTIARY HEARING (DAY 3)...PLAINTIFF'S NOTICE OF MOTION TO STRIKE THE TESTIMONY OF DEFENDANT'S WITNESSES, CHERYL KEGLEY AND KRYSTAL WHIPPLE; REQUEST FOR BRIEF FOCUSED ASSESSMENT AND ACCESS TO UPDATED CPS RECORDS Attorney Carol Barnes, Bar #7985, present with co-counsel, Andrew Seprazik, Bar #15093 on behalf of the Plaintiff/Paternal Aunt, Stacey Kanter. Plaintiff/Paternal Grandmother, present in Pro Per Person. Attorney Linda Lay, Bar #12990, present with Co-Counsel, Carrie Hurtik on behalf of the Defendant/Mother. Parties sworn and testified. Testimony and exhibits presented. COURT ORDERED the following: 1. Plaintiff's Motion to strike Detective Cheryl Kegley's testimony is DENIED. 2. There is a STANDING ORDER for the trial to remain as a CLOSED HEARING until the conclusion of trial. 3. Therapist, Krystal Whipple, shall provide the Court with updated records from June 2019 to present. 4. Defendant shall subpoena Detective Cheryl Kegley to the next Court hearing. 5. Parties STIPULATE to Dr. Stephanie Holland as a COURT APPOINTED NEUTRAL EVALUATOR to prepare a CUSTODY EVALUATION. Plaintiff, Stacey Kanter, shall bear the cost without prejudice. Either party may hire a rebuttal expert. There shall be no ex parte contact with Dr. Holland, both parties shall carbon copy the other party in any communication. Court pleadings, court minutes, court videos, CPS records, and photos, the child's school records, the child's medical records, police reports, may be provided to Dr. Holland. Each party may have two (2) collateral witnesses. 6. The child can visit with his half brother, Ethan, from Texas this weekend (1/31/20 - 2/3/20) at Stacey's house. Mother shall receive a selfie once in the morning and once in the afternoon through Talking Parents. Mother shall have the following weekend and parties shall alternate. On Friday, 1/31/20, Stacey can pick-up the child from school and drop him off at school on Monday morning, 2/3/20. 7. At the next hearing, Stacey shall present photographs of the visit with the child and his brother to the Court. 8. Day 4 of Trial is set for 2/14/20 at 8:30 a.m. 9. Day 5 of Trial is set for 2/27/20 at 2:00 p.m.;

Matter Heard

02/14/2020



Evidentiary Hearing (9:00 AM) (Judicial Officer: Moss, Cheryl B.)

Evidentiary Hearing - Day 4

Matter Heard;

Journal Entry Details:

EVIDENTIARY HEARING (DAY 3)...PLAINTIFF'S NOTICE OF MOTION TO STRIKE THE TESTIMONY OF DEFENDANT'S WITNESSES, CHERYL KEGLEY, AND KRYSTAL WHIPPLE; REQUEST FOR BRIEF FOCUSED ASSESSMENT AND ACCESS TO UPDATED CPS RECORDS. Attorney Carol Barnes, Bar #7985, present with co-counsel, Andrew Seprazik, Bar #15093 on behalf of the Plaintiff/Paternal Aunt, Stacey Kanter. Plaintiff/Paternal Grandmother, present in Pro Per Person. Attorney Linda Lay, Bar #12990, present with Co-Counsel, Carrie Hurtik, on behalf of the Defendant/Mother. Prior to the start of the Trial, the Court and Counsel engaged in a discussion regarding the Defendant's objection to the Plaintiff's decision to cross-examine Ms. Whipple before cross-examining Detective Kegley and Attorney Barnes's request to withdraw as Counsel of record. Court noted the Plaintiff's cross-examine would begin with Detective Kegley. Court further noted there was no objection to Attorney Barnes's request to withdraw. The Court and Counsel engaged in further discussion regarding the screw that was located in the Plaintiff's sofa coming in as evidence. Parties SWORN and TESTIFIED. Testimony and exhibits presented. MATTER TRAILED for a five-minute break. MATTER RECALLED. Testimony resumed with the Plaintiff's cross-examination of Ms. Whipple. Court noted Pro Se Litigant Mary- Anne Colt STIPULATED that Attorney Barnes may speak with the Court without her presence during the bench conference with Counsel. Pro Se Litigant Mary- Anne Colt stated on the record in OPEN COURT, "I stipulate that I will not go in with the bars." MATTER TRAILED for the Court to conduct a bench conference. MATTER RECALLED with all parties present. COURT ORDERED the following: An Emergency Order shall be issued on this date. Emergency Order EXECUTED and FILED in OPEN COURT with all parties receiving a copy of the Order. The Trial shall be POSTPONED until the minor child has been stabilized. An Evidentiary Hearing shall be set for August 5, 2020, at 9:00 AM (Full- Day). The Evidentiary Hearing set for February 27, 2020, at 2:00 PM, shall be VACATED. The hearing set for April 8, 2020, at 2:30 AM, regarding Attorney Barnes's Motion to withdraw shall be VACATED. Attorney Barnes Motion to withdraw as Counsel of record shall be GRANTED. The Pro Se Litigant Mary-Anne's request to proceed with the Trial set for February 27, 2020, at 2:00 PM, shall be DENIED. Attorney Robert Cerceo, Nevada Bar 5603, shall be appointed as Counsel for the minor child in a Pro Bono capacity. Attorney Cerceo shall coordinate with Ms. Whipple to meet the child and be his voice and attorney. The Defendant (Mom) shall have Temporary sole legal and physical custody of the minor child. There shall be no visitation between the Plaintiffs and the child. However, the Plaintiffs may speak with Ms. Whipple to see if she is willing to arrange visitation in her office. The child shall continue therapy with Hope Counseling. Neither party shall be permitted to change the child's therapist. Ms. Whipple shall remain the child's therapist until otherwise ordered by the Court. The child shall NOT be told whom he can speak too or whom he cannot speak too.;

CASE SUMMARY

CASE NO. D-17-560076-C

Matter Heard

02/27/2020

CANCELED Evidentiary Hearing (2:00 PM) (Judicial Officer: Moss, Cheryl B.)

Vacated - per Judge

Evidentiary Hearing - Day 5

03/24/2020



Minute Order (7:30 AM) (Judicial Officer: Moss, Cheryl B.)

Minute Order - No Hearing Held;

Journal Entry Details:

COURT MINUTE ORDER NRCP 1 and EDCR 1.10 state that the procedures in district court shall be administered to secure efficient, just, and inexpensive determinations in every action and proceeding. EDCR 2.23 (c) state that the judge may consider the motion on its merits at any time with or without oral argument, and grant or deny it. Pursuant to EDCR 5.206, a party filing a motion is required to serve the opposing party with a copy of all papers filed within 3 calendar days of submission for filing. Pursuant to EDCR 5.206 (b), a copy of any papers filed must be served on all other parties to an action within 3 calendar days of submission for filing. On February 19, 2020 Plaintiff/Paternal Grandmother (PGM) filed a Motion and Notice of Motion to Set Aside Order Judgment and/or Default. On February 19, 2020 Plaintiff/PGM filed a Certificate of Service showing service to Defendant/Mother s counsel of record by depositing a copy of the Motion in the U.S. Mail in the State of Nevada, postage prepaid on the same date. The COURT FINDS that Plaintiff/PGM failed to serve Plaintiff/Paternal Aunt (PA) a copy of the motion pursuant to EDCR5.206 (b). The COURT ORDERS that the hearing set for March 30, 2020 at 9:30AM is TAKEN OFF CALENDAR. Plaintiff/PGM may re notice the motion through the Clerk's Office to get a new hearing date AFTER all the parties and/or counsel, if parties are represented, have been properly served and the proof of service has been filed. A copy of this minute order shall be served upon all the parties and counsel. SO ORDERED. ;

Minute Order - No Hearing Held

03/30/2020

CANCELED Motion (9:30 AM) (Judicial Officer: Moss, Cheryl B.)

Vacated - per Judge

Plaintiff's Motion and Notice of Motion to Set Aside Order Judgment and/or Default

04/08/2020

CANCELED Motion (2:30 AM) (Judicial Officer: Moss, Cheryl B.)

Vacated - per Judge

Notice of Motion and Motion to Withdraw as Attorney of Record

06/05/2020



Minute Order (2:00 PM) (Judicial Officer: Moss, Cheryl B.)

Minute Order - No Hearing Held;

Journal Entry Details:

MINUTE ORDER - NO HEARING HELD AND NO APPEARANCES NRCP 1 and EDCR 1.10 state that the procedures in district court shall be administered to secure efficient, just, and inexpensive determinations in every action and proceeding. Pursuant to EDCR 5.206, a party filing a motion is required to serve the opposing party with a copy of all papers filed within 3 calendar days of submission for filing. Pursuant to EDCR 2.23(c), the judge may consider the motion on its merits at any time with or without oral argument, and grant or deny it. On March 27, 2020 Defendant/Mother represented by Linda Lay, Esq. filed a Motion to Seal all Video Recordings and Papers Related to Trial. On March 28, 2020 the Court issued a Clerk s Notice of Nonconforming Document because the Motion does not have a hearing designation per Rule 2.20(b). On March 30, 2020 a Notice of Hearing was issued by the Clerk of Court setting the matter on the Court s in chambers calendar May 06, 2020 at 2:30AM; and electronically served the same to the parties pursuant to NEFCR 9(d). On April 26, 2020 Defendant filed a Reply to Opposition; an Opposition that at the time of Defendant s filing of the Reply, the Court did not yet have access to. On April 28, 2020 the Court issued a Clerk s Notice of Nonconforming Document because the Certificate of Service on page 6 of the Reply to Opposition was not signed. On April 27, 2020 Defendant filed a signed Certificate of Service stating that copies of the Reply to Plaintiff's Opposition were sent to the Plaintiffs and their counsel via US Mail and Electronic service. On April 30, 2020 Plaintiffs/Paternal Aunt and Paternal Grandmother in proper person electronically filed an Opposition signed and dated April 10, 2020 with a hearing date for June 09, 2020 at 9:00AM. On April 30, 2020 Plaintiffs filed a Certificate of Service stating that Defendant/Mother was served a copy of the Opposition by mailing a copy of the same to Defendant s counsel Linda Ley % Hurtik Law & Associates office address on April 10, 2020. Upon review of the pleadings and papers, the COURT FINDS that proper service was effectuated and any procedural defects in filing have been waived and/or corrected by subsequent remedial measures. Openness and transparency are the cornerstones of an effective, functioning judicial system. Howard vs. State of Nevada 128 Nev., Adv. Op 67 citing Richmond Newspapers, Inc. v. Virginia, 448 U.S. 569, 571-72 (1980). Although public access is favored, it is not unfettered. Id. With acute awareness of the presumption favoring public access to judicial records and documents, federal and state courts have decided that a court may exercise its inherent authority to seal those materials only where the public s right to access is outweighed by competing interests. Id citing Minter vs. Wells Fargo Bank, N.A., 258 F.R.D. 118, 120-21 (D. Md. 2009). This presumption may be rebutted if countervailing interests heavily outweigh public interest in access. Id. Thus, a party who seeks to have documents or records filed with this court under seal must file a motion that identifies the information that the party seeks to have sealed, sets forth the reasons that such action is necessary, and specifies the duration of the sealing order. Howard vs. State of Nevada 128 Nev., Adv. Op. 67. The COURT FINDS that Defendant's motion failed to identify

CASE SUMMARY

CASE NO. D-17-560076-C

with sufficient specificity the significant interest that overrides the right to public access. IT IS ORDERED that the motion to seal is DENIED WITHOUT PREJUDICE. IT IS FURTHER ORDERED that the hearing set on June 09, 2020 at 9AM is VACATED. The next court date in this matter is on AUGUST 05, 2020 at 9AM for the Evidentiary Hearing Day 5. Pursuant to Administrative Order 20-10 re Paper Elimination in response to the COVID-19 outbreak, a copy of this minute order shall be served electronically. The Court shall file the order. SO ORDERED. CLERK'S NOTE: A copy of this minute order shall be emailed to the parties/counsel. (kw 6/5/2020);

Minute Order - No Hearing Held

06/09/2020 CANCELED Motion (9:00 AM) (Judicial Officer: Moss, Cheryl B.)

Vacated


Def't's Motion to Seal All Video Recordings and Papers Related to Trial

05/06/2020 Reset by Court to 06/09/2020

06/09/2020 CANCELED Opposition (9:00 AM) (Judicial Officer: Moss, Cheryl B.)

Vacated

Plf's Opposition to Motion to Seal All Video Recordings and Papers Related to Trial

08/05/2020  Evidentiary Hearing (9:00 AM) (Judicial Officer: Moss, Cheryl B.)

Pending the minor child's stabilization.

On for Status Check;

Journal Entry Details:

EVIDENTIARY HEARING: PENDING THE MINOR CHILD'S STABILIZATION Due to Governor Sisolak's Stay Home for Nevada directive, Plaintiff's/Mary-Anne Colt, and Stacey Kanter appeared in a pro se manner. Defendant Alysa Plummer and her Attorney of Record Linda Lay along with Guardian Ad Litem Bob Cerceo were all present via (bluejeans) equipment. Upon the matter being called the Court noted the trial set in this matter was converted into a status check and ongoing issues with the child. Parties SWORN and TESTIFIED The Court further noted the subpoena submitted by Attorney Lay, the Court inquired as Counsel and parties reviewing the Guardian Ad Litem reports. Attorney Cerceo advised the Court as to the minor child indicating he wants to continue contact with the Paternal Aunt Plaintiff's indicated they haven't seen the minor child since 2-15-2020. Plaintiff further expressed concerns as to their attempts to contact Defendant in this matter once a week for a period of (10) weeks and never they never received a call back by defendant. The Court noted concerns as to issues at hand. THE COURT FINDS it does not appear that Mom has alienated the child from the other side of the child's family THE COURT ORDERED, This Court shall CONTINUE to MONITOR VISITATION. Attorney Robert Cerceo shall CONTINUE as the GUARDIAN AD LITEM in this matter. Attorney Robert Cerceo (GAL) shall do a CHECK-UP with the minor child EVERY (30) days and PROVIDE the COURT with an UPDATE as to the child's VISITATION. Katie Thibeaux shall be PERMITTED to TESTIFY. Krystal Whipple shall REMAIN the ACTIVE THERAPIST. Attorney Robert Cerceo shall CONTINUE to HAVE a TELEPHONE CALL OR TEXT MESSAGE with Ms. Whipple as to what's going on in the case. In regards to the CUSTODIAL EXCHANGE the RECEIVING PARTY shall be RESPONSIBLE for PICK-UP of the minor child. Stacey's VISITATION with the minor child shall be REINSTATED. Stacey shall have VISITATION with the minor child from 3:00 pm on Friday's until Sunday at 6:00 pm. The CUSTODIAL EXCHANGE shall OCCUR at Family Court located at 601 N. Pecos in Las Vegas. The COURT ADMONISHED PARTIES as to DISPARAGING each other. Parties shall not DISCUSS LITIGATION ISSUES with the minor child. The BLUEJEANS LINK shall be sent to Ms. Whipple as she shall be ALLOWED to APPEAR at the NEXT STATUS CHECK HEARING. In regards to payment of the EXPERT WITNESS Plaintiff's shall SEEK REIMBURSEMENT of COSTS at TIME of Trial. A ZOOM MEETING can be conducted from STACEY'S house with the minor child Preston. Stacey's VISITATION with the minor child Preston shall be reinstated. If Dr. Holland will ASSIST with LOGISTICS of this matter, Attorney Lay shall ask her client to comply. Quarantine instructions in place shall be followed by all parties in this action. Stacey shall KEEP mask, sanitizer and clothes for the minor child in her home. Stacey's VISITATION with the minor child shall occur every other weekend beginning this weekend. Ms. Hartman and Ms. Whipple shall provide REPORTS to the (GAL) all REPORTS received shall be PROVIDED to the court. Information shall be provided to the Court as to the minor child's school schedule. Department I's JEA shall PREPARE an AMENDED TRIAL ORDER as to the FUTURE COURT DATE.;

On for Status Check

09/08/2020 Motion (1:30 PM) (Judicial Officer: Moss, Cheryl B.)

Motion to Not Continue Temporary Visitation with Paternal Aunt Stacey Kanter

10/13/2020 Reset by Court to 09/08/2020

Non Jury Trial; NJT set for 4-21-2021 and 4-22-2021 at 9:00 am (full day)

Non Jury Trial

09/08/2020 Opposition (1:30 PM) (Judicial Officer: Moss, Cheryl B.)

Plaintiff Stacy Kanter's Opposition to Defendant Alysa Plummer's Motion to Not Continue with Temporary Visitation with Plaintiff, Paternal Aunt, Stacy Kanter on Order Shortening Time

10/13/2020 Reset by Court to 09/08/2020

Non Jury Trial; NJT set for 4-21-2021 and 4-22-2021 (full-day)

CASE SUMMARY

CASE NO. D-17-560076-C

Non Jury Trial

09/08/2020



All Pending Motions (1:30 PM) (Judicial Officer: Moss, Cheryl B.)

Matter Heard; Minutes in the all pending

Journal Entry Details:

MOTION: MOTION TO NOT CONTINUE TEMPORARY VISITATION WIT PATERNAL AUNT STACEY KANTER...OPPOSITION: PLAINTIFF STACY KANTER'S OPPOSITION TO dEFENDANT ALYSA PLUMMER'S MOTION TO NOT CONTINUE WITH TEMPORARY VISITATION WITH PLAINTIFF. PATERNAL AUNT, STACY KANTER ON ORDER SHORTENING TIME Due to Governor Sisolak's Stay Home for Nevada directive, Plaintiff's Mary-Anne Colt and her Mother Stacey Kanter, along with Defendant/ Alysa Plummer and her Attorney of Record Carrie Hurtik all appeared via (bluejeans) equipment. Also present for today's proceedings was Amity Dorman from the Department of Family Services, Guardian Ad Litem, Robert Cerceo and the minor child's past therapist Ms. Whipple and current therapist Ms. Hartman were also present for today's proceedings via (bluejeans) audio equipment. Upon the matter being called, housekeeping issues were addressed by the court. Attorney Bob Cerceo, the Guardian ad Litem (GAL) gave a verbal updated report. THE COURT NOTED, Preston's therapist is now Hannah Hartman, and that Krystal Whipple was prior therapist Child Protective Services referral on 8/17/2020, the Court further noted the (CPS) case is still on going. THE COURT NOTED, Aunt Stacey and Paternal Grandmother still need to testify, the Court further noted the need to finish with Krystal Whipple's direct and cross examination as well as the Natural Mother needs to resume her direct examination from Defendant's side. THE COURT FINDS, there was some type of traumatic response from the minor child, the severity is not as important as the fact that trauma is trauma. THE COURT FINDS, Preston completed trauma therapy and improved and was transferred to therapy for attachment therapy between the minor child and Mom. THE COURT NOTED, Aunt Stacey requested in her/their COUNTERMOTION for a DIFFERENT THERAPIST for the minor child due to concerns of bias. Aunt Stacey's MOTION for a DIFFERENT Therapist SHALL be DENIED. THE COURT NOTED, Dr. Holland STIPULATED to Mom's Counsel and Aunt Stacey's prior Counsel as to Dr. Holland testifying as an expert for Aunt Stacey in this matter, with the COSTS being borne by Aunt Stacey. This Court shall MONITOR closely how the VISITATION are going. THE COURT ORDERED. The Paternal Aunt shall be PERMITTED to come to the COURT HOUSE to review the Child Protective Services under a CONFIDENTIAL GAG ORDER. The Paternal Aunt shall be PERMITTED to read the HOPE counseling letter and the (CPS) records at the courthouse. The Paternal Aunt shall email Department, she shall email the court's JEA for an appointment to read the documents mom is home-schooling child with Time for Learning A NON-JURY TRIAL set for 4-21-2020 at 9:00 am full day (day 1). NON-JURY TRIAL set for 4-22-2021 at 9:00 am full day (day 2) CLOSING ARGUMENTS shall be (90) minutes. VISITATION shall CONTINUE every other weekend however, they shall be REDUCED to Saturday day VISITS only EFFECTIVE 9-12-2020. HOPE COUNSELING shall be used to FACILITATE CHILD EXCHANGES ever other Saturday from 9:00 am until 6:00 pm, if HOPE is not available, Donna's House SUPERVISED EXCHANGES shall occur. ALL FEES associated with Donna's House SUPERVISED EXCHANGES shall be WAIVED for both sides . Department I's JEA shall submit a DONNA'S HOUSE REFERRAL order ASAP. VIA EMAIL. The minor child Preston, shall CONTINUE Therapy with Hannah Hartman of Hope Counseling Aunt Stacey shall SIGN the Courts CONFIDENTIALITY ORDER, upon signature Aunt Stacey shall RECEIVE the CPS Report via PDF email, the same information shall be sent to Attorney Cerceo the (GAL) and Mom's Attorney. The VISITATION EXCHANGE of the minor child shall occur a Family Court Security Gate. Parties shall have AUTHORIZATION TO AUDIO or VIDEO RECORD. Mom's Counsel shall prepare the courts order from today's proceedings and serve upon Attorney Cerceo as well. ;

Matter Heard

09/17/2020

CANCELED Status Check (9:00 AM) (Judicial Officer: Moss, Cheryl B.)

Vacated - per Judge

re: visitation-reports of GAL and Therapist

11/23/2020

Motion (10:00 AM) (Judicial Officer: Hardcastle, Gerald W.)

Plaintiff's 2 Amended Motion and Notice of Motion to Set Aside Order, Judgement, and/or Default

Denied;

Denied

11/23/2020

Opposition (10:00 AM) (Judicial Officer: Hardcastle, Gerald W.)

Defendant Alysa Plummer's Opposition to Motion to Set Aside Order

Matter Heard;

Matter Heard

11/23/2020



All Pending Motions (10:00 AM) (Judicial Officer: Hardcastle, Gerald W.)

PLAINTIFF'S SECOND AMENDED MOTION AND NOTICE OF MOTION TO SET ASIDE ORDER, JUDGEMENT AND / OR DEFAULT...DEFENDANT ALYSA PLUMMER'S OPPOSITION TO MOTION TO SET ASIDE ORDER

MINUTES

Matter Heard;

Journal Entry Details:

CASE SUMMARY**CASE No. D-17-560076-C**

PLAINTIFF'S SECOND AMENDED MOTION AND NOTICE OF MOTION TO SET ASIDE ORDER, JUDGEMENT AND / OR DEFAULT...DEFENDANT ALYSA PLUMMER'S OPPOSITION TO MOTION TO SET ASIDE ORDER COURT CLERKS: Michelle Cunningham (mlc), Jamile Vazquez Parties appeared via BLUEJEANS. Guardian Ad Litem (GAL), Bob Cerceo also present. COURT NOTED that the minor child is in Defendant/Mother's custody and contact with Plaintiff/Grandmother, Mary-Anne Colt had been suspended except at Donna's House. COURT FURTHER NOTED the child is to go to counseling. Court stated this case has been drawn out and it is his inclination that orders that have been entered continue until the new Judge comes in. Attorney Lay represented that the minor child's therapist sent a letter stating that all contact with the paternal side of the family shall cease. Both Plaintiffs stated they did not receive anything. Upon the Court's inquiry, GAL Cerceo stated there is a trial set and COURT NOTED it is a continuation of the trial. Attorney Cerceo further stated Judge Moss had suspended everything for about six (6) months and brought him in as the GAL. GAL Cerceo represented the minor child was doing well but then there was a down turn, was hurting himself and he expressed that he had difficulties visiting his Aunt but was comfortable with Grandmother. Further, the messages have been inconsistent. GAL Cerceo represented Aunt has engaged Dr. Holland to do an assessment. Court inquired as to what changes are needed to get the parties to the next trial date. GAL stated the minor child stated he is uneasy with Aunt but that was different from what he told him the month before. Discussion regarding what the current visitation order is. Aunt stated there were false claims made about her to Child Protective Services (CPS) and Judge Moss dropped her time down, however, CPS found the claims unsubstantiated. Court stated the trial needs to be dropped forward. Aunt stated she has not seen the child all month, she filed for a Pick-Up Order, and wants her weekends back. GAL Cerceo stated there should be contact with Aunt. Court is inclined to keep the orders in place regarding contact with Grandmother. Grandmother stated she wants counsel removed from this case. Attorney Lay stated they would request supervised visitation, every other weekend from 9:00 a.m. to 5:00 p.m. Attorney Lay further stated the minor child is close to being hospitalized because he is self-harming himself. GAL Cerceo stated he does not have any objections to overnight visitations. COURT ORDERED the following: 1. The Motion to SET ASIDE shall be DENIED on the basis of insufficient grounds. The minor child shall continue to reside with Mother. 2. The Hearing set for 11/30/2020 shall be VACATED. 3. The Non-Jury Trial scheduled for 4/21/2021 and 4/22/2021 shall be RESCHEDULED to 1/28/2021 at 9:00 a.m. and 1/29/2021 at 9:00 a.m. (FULL DAY, STACK #3). 4. Aunt shall have VISITATION with the minor child every other weekend from Fridays at 1:00 p.m. until Saturdays at 4:00 p.m. There shall be NO EXCEPTIONS for holidays. The EXCHANGES shall take place at Donna's House. Order for Supervised Exchange EXECUTED and FILED IN OPEN COURT. Copies shall be emailed to the parties and counsel. GAL Cerceo shall prepare the order from today's hearing.;

Matter Heard

11/30/2020

CANCELED Motion (11:00 AM) (Judicial Officer: Moss, Cheryl B.)*Vacated - per Judge**Amended Plaintiff's Motion and Notice of Motion to Set Aside Order, Judgment, and/or Default*

01/20/2021

**Minute Order** (2:15 PM) (Judicial Officer: Bailey, Sunny)*Minute Order - No Hearing Held;**Journal Entry Details:*

MINUTE ORDER - NO HEARING HELD AND NO APPEARANCES Court noted, Stacey Kanter's Ex-Parte Motion for Continuance e-filed on January 10, 2021 @ 1:06 AM. Court further notes, Motions for Continuance of a scheduled Evidentiary Hearing cannot be done Ex-Parte. Notice has to be provided to all parties involved in the case and an opportunity to respond to the issue needs to be provided. COURT ORDERED: Stacey Kanter's Ex-Parte Motion for Continuance e-filed on January 10, 2021 @ 1:06 AM is DENIED Pursuant to EDCR 2.23, and EDCR 7.30. Courtroom clerk to provide a copy of this Minute Order to all parties. CLERK'S NOTE: A copy of this minute order shall be provided to the parties/counsel electronically. (kw 1/20/21);

Minute Order - No Hearing Held


01/28/2021

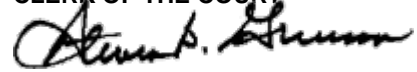
**Non-Jury Trial** (9:00 AM) (Judicial Officer: Hardcastle, Gerald W.)*Stack #3 (Day 1)***01/28/2021 Reset by Court to 01/28/2021****04/21/2021 Reset by Court to 01/28/2021****MINUTES***Matter Heard;**Journal Entry Details:*

NON-JURY TRIAL: STACK #3(DAY 1)...PLAINTIFF'S OBJECTION TO SUBPOENA NEW WITNESSES Plaintiff/Grandmother Ms. Mary Colt present by audio. Intervener/Aunt Ms. Stacey Kanter, Guardian Ad Litem for minor child Mr. Robert Cerceo, Defendant/Mom Ms. Alysa Marie Plummer, Ms. Linda Lay and Ms. Carrie Hurtik present by video. The Court noted the issue of prior proceedings and it is intending to review the prior hearing recordings and exhibits admitted. Further, the Court admonished parties to be direct, reasonable and respectful during these proceedings as this Court takes the rules of evidence very seriously and if necessary it will consider contempt sanctions including incarceration. Discussion regarding the upcoming scheduled motions such as a request for a continuance of trial due to intervener's lack of legal representation, request for the

CASE SUMMARY

CASE NO. D-17-560076-C

	<p>admission of expert witnesses to be admitted, opportunity to take therapist and experts testimony and the objection to subpoena new witnesses. Parties SWORN and TESTIFIED and NO New EXHIBITS presented. The Court TRAILED the matter and upon its return; the Court confirmed for the record the detailed admission of exhibits from prior trials on July 10, 2019 and July 11, 2019: Parties STIPULATED to admit Plaintiff's Exhibits 3-113, 129-220, 242-252, 259-267, 276, 293-296, Parties STIPULATED to admit All of Defendant's Exhibits A - H and Plaintiff's SEALED Exhibit 1 (CPS Records) Bates #000769-001247. The Court advised the Mother will testify in tomorrow's proceedings 01/29/2021. ;</p> <p>Matter Heard</p>
01/28/2021	<p>Opposition (9:00 AM) (Judicial Officer: Hardcastle, Gerald W.)</p> <p>Plaintiff's Objection to Subpoena New Witnesses</p> <p>01/28/2021 Reset by Court to 01/28/2021</p> <p>Matter Heard;</p> <p>Matter Heard</p>
01/29/2021	<p> Non-Jury Trial (9:00 AM) (Judicial Officer: Hardcastle, Gerald W.)</p> <p>Stack #3 (Day 2)</p> <p>04/22/2021 Reset by Court to 01/29/2021</p> <p>MINUTES</p> <p>Under Advisement;</p> <p>Journal Entry Details:</p> <p>NON-JURY TRIAL: STACK #3 (DAY 2) Plaintiff/Grandmother Ms. Mary Colt, Intervener/Aunt Ms. Stacey Kanter, Guardian Ad Litem for minor child Mr. Robert Cerceo, Defendant/Mom Ms. Alysa Marie Plummer, Ms. Linda Lay and Ms. Carrie Hurtik present by video. The Court outlined the importance of the rules of evidence and the course this case has taken. The Court further admonished the parties if more videos of the case proceedings are being leaked to Veterans in Politics website or channel or any other media outlet that will be considered a substantial reason for the Court to modify custody and/or deny visitation. The Court noted this case will now be sealed and directed Mr. Cerceo to prepare the order with the specifics. Parties SWORN and TESTIFIED, NO EXHIBITS presented (see prior Exhibits worksheet). CLOSING ARGUMENTS. COURT stated its FINDINGS and ORDERED the following: 1. The RECORD on this matter shall be SEALED. The Court directed Mr. Cerceo to prepare the order and submit to the Court for review and signature. 2. The Court took the matter UNDER ADVISEMENT and it will issue its written decision. CASE CLOSED; upon entry of order. ;</p> <p>Under Advisement</p>
03/25/2021	<p>CANCELED Motion (8:30 AM) (Judicial Officer: Bailey, Sunny)</p> <p>Vacated - Moot</p> <p>Pltf's Motion for Hearing Continuance and Request for Updated Hope Counseling Records and Updated CPS Records</p>
03/26/2021	<p>CANCELED Motion (8:30 AM) (Judicial Officer: Bailey, Sunny)</p> <p>Vacated - Moot</p> <p>Plaintiff's Motion for Hearing Continuance and Request for Updated Hope Counseling Records and Updated CPS Records</p>
10/11/2017	<p><u>SERVICE</u></p> <p>Summons</p> <p>Plummer, Alysa Marie</p> <p>Served: 11/21/2017</p>



DAO (FAM)

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

MARY-ANNE COLT,)	
)	
Plaintiff,)	
)	CASE NO. D-17-560076-C
vs.)	
)	DEPT. NO: I
ALYSA MARIE PLUMMER,)	
)	
Defendant.)	
_____)	
)	
STACEY KANTER,)	
)	
Intervenor.)	
_____)	

DECISION AND ORDER

The above entitled matter came on regularly for trial commencing on the 7th day of July, 2019, and was continued from time to time until the conclusion of the trial on January 29, 2021. At the commencement of the trial, Plaintiff, MARY-ANN COLT, and Intervenor, STACEY KANTER, were represented by CAROL BARNES, ESQ. However, by the conclusion of the proceedings on January 28-29, 2021, Plaintiff and Intervenor appeared in proper person. Defendant, ALYSA MARIE PLUMMER, is represented by LINDA L. LAY, ESQ. and CARRIE E. HURTIK, ESQ. of the Law Offices of Carrie E. Hurtik. The Court, having considered the pleadings and papers on file, having reviewed the testimony taken at the prior trial proceedings on July 10-11, 2019, having

considered the exhibits admitted at trial, and having presided over the conclusion of the trial on January 28-29, 2021, does hereby made its Decision and Order.

STATEMENT OF PROCEEDINGS

PRESTON ODIN COLT (PRESTON) was born on June 25, 2013. The parents were not married at the time of the child's birth but paternity is not disputed. ALYSA MARIE PLUMMER (ALYSA) is PRESTON's mother. The child's father is SEAN COLT (SEAN). At the time of the child's birth ALYSA and SEAN were residing together but in October 2013 the parents separated.

On November 6, 2013, SEAN filed a petition before the Clark County Family Court seeking essentially a declaration of paternity and custody of PRESTON.¹ While many of the allegations raised in that case were repeated in this case, the Court was not asked to take notice of the file. The file was reviewed, however, to gain a historical perspective of the earlier proceedings. This cursory review reflects the aggressive and hostile attitudes and actions of the paternal family and ALYSA that has continued to the present.

The case involving SEAN and ALYSA was terminated with the death of SEAN by drug overdose on August 17, 2017. By this time PRESTON was four (4) years of age. On August 23, 2017, six (6) days after SEAN's death the case was on before the Family Court Judge who was notified of SEAN's death. The minutes of that hearing reflect that the Court orally awarded the sole legal and sole physical custody of PRESTON to his mother, ALYSA. This decision does not appear to be a decision on the underlying merits of the contested issues between SEAN and ALYSA.

¹ SEAN COLT v. ALYSA PLUMMER, filed as D-13-487835-C in the Eighth Judicial District Court of the State of Nevada, Family Division.

Within three (3) months after this hearing, SEAN's mother, MARY-ANN COLT (Ms. COLT), on October 11, 2017, filed her Complaint for Child Custody, or in the Alternative, for Grandparent Visitation seeking custody or alternatively, visitation with PRESTON.

During the course of the litigation – and there was much of that² – Clark County Child Protective Services (CPS) received a referral and temporarily removed PRESTON from his mother's custody and placed the child with Ms. COLT. However, CPS found that Ms. COLT had prior protective service involvement in Texas and determined not to place the child with her even temporarily. While Ms. COLT and STACEY asserts that this is just coincidence, on January 8, 2019, PRESTON's paternal aunt, STACEY KANTER (STACEY), filed her motion to intervene. The motion reflects that STACEY requested she be awarded primary custody of PRESTON. The motion on STACEY's behalf was filed by attorney Carol Barnes, Esq. who represented Ms. COLT. Ms. Barnes continued to represent both STACEY and Ms. COLT until her subsequent withdrawal from all representation on July 16, 2019. STACEY'S intervention was granted by Order entered March 27, 2019.

² This case presents family court litigation at its worst. While the initial Family Court Judge's management is troublesome in extreme, the conduct of the litigants in both cases reflects an aggressive, hostile, and unfair attitude. Addressing the current case only, both Plaintiff, Plaintiff's family, and Defendant have sought to use the Court, Child Protective Services, various police agencies, and counselors in efforts to support their position without regard to facts. The Child Protective Service records submitted as Exhibit 1 at trial are approximately 2 ½ inches thick, consisting of 478 single spaced pages of reports and evaluations, beginning shortly after PRESTON's birth and continuing. Other Exhibits stipulated to be admitted at trial consist of police reports, police call records, counseling reports, school records and telephone records. The stipulated Exhibits amassed by the parties total over 7 inches of paper, But one fact alone says more than the snowstorm of paper; of the approximately 2 ½ inches of detailed Child Protective Service reports, assessments, and investigations, and of the approximately 34 referrals made by SEAN, his family, and ALYSA regarding PRESTON, **only 1 referral was substantiated and that substantiated referral did not result in a referral by Child Protective Services to the Juvenile Court for prosecution.**

STACEY aligns her position with her mother, Ms. COLT. And while it is clear that she seeks custody of PRESTON, there is no pleading which specifically defines her legal requests beyond the request for custody. More specifically, the Court is unclear whether the record reflects a request for visitation under NRS 125C.050 dealing with visitation independently and alternatively of her request for custody under NRS 125C.004. This is important in that each person seeking visitation requires an independent showing of status, i.e., a grandparent vs. a person with a significant connection to the child.

The trial or evidentiary hearing in this matter was commenced on July 10, 2019. On July 11, 2019, the matter was continued for further evidence but not concluded. While there were numerous pretrial and mid-trial proceedings during the intervening time, the trial or evidentiary hearing was heard on January 28, 2021. In the interim the assigned Judge retired and the matter was assigned to a newly-elected Family Court Judge in January 2021. The matter was then assigned to the present Senior Court Judge for resolution. The evidentiary portion of the trial was concluded on January 29, 2021.

This Judge has carefully reviewed the pleadings and papers on file. Testimony from the July 2019 proceedings and the January 28-29, 2021 proceedings were heard by videotape. The exhibits introduced at these trial dates were carefully reviewed and considered. While many of the exhibits were admitted in clear disregard for evidentiary rules, the exhibits were stipulated. Accordingly, this Judge considered the exhibits, reserving the right to weigh such exhibits as the Court deemed appropriate.

Many of the exhibits and much of the testimony at trial presented the Judge with conflicting information. There was a clear sense that the parties desired the Court reach factual

conclusions regarding incidents over the past nearly eight (8) years and sometime dating back even longer. Much of the evidence both in testimony and contained in exhibits was not relevant to the legal issues required to be decided by the Court. Much reflected the emotional state of the litigants towards the others. Much reflected the manipulation and coaching of the child and attempted manipulation of agencies. Much was dated. This Judge declines to go through each of the Child Protective Service allegations in an effort to precisely determine what occurred in each of the over 34 referrals.³ The evidence as a whole does present a reasonably clear factual picture on relevant legal issues. Said another way, the Judge considered the exhibits and factual testimony relevant to the issues of law presented but set aside the years of irrelevant disputes between the paternal family and ALYSA.⁴

³ In reviewing the trial testimony of the July 2019 hearings, Plaintiff and STACEY's attorney called non-party witnesses but essentially had them testify only as to matters contained in exhibits already admitted. The testimony only duplicated the previously evidence stipulated to be admitted. In fact, other than the parties themselves, there was no witness wanting to be called who had not submitted reports already stipulated to as evidence. Additionally, ALYSA provided ample testimony at the first trial proceedings.

At the second trial proceedings, Ms. COLT and STACEY were no longer represented by attorneys. Ms. COLT was allowed to testify in the narrative but was unable to do so without arguing each idea, foregoing any factual base for her testimony. After much frustration, the Guardian ad Litem offered to direct questions to her respecting PRESTON's best interests. Ms. COLT agreed to this procedure.

The Court expressed that in view of the vast volume of exhibits which seemed to explore the issues presented in great detail, the Court felt that the exhibits and the testimony already submitted provided a sufficient basis for making a ruling. In that light, further testimony seemed unnecessary. The Court advised that it would review the exhibits in full and listen to the proceedings and consider the trials both in July 2019 and January 2021. The parties agreed that further testimony was not necessary and stipulated to the process. Finally, the Court allowed final argument and the matter was submitted.

⁴ As a matter of process, this case is one of the most difficult experienced by the Court. Fundamentally, the adversarial process leaves the issue of pre-trial and trial process to the litigants. They are charged with obtaining the evidence and presenting the matter to the Court. The Court's roles are (1) to decide the matter after hearing the evidence, and (2) to keep the

LEGAL ANALYSIS

Ms. COLT's Petition seeks two alternative judgments: (1) custody of PRESTON under NRS 125C.004, and (2) grandparent visitation with PRESTON under NRS 125C.050 (1) (A). STACEY's Petition for Intervention also requests custody of PRESTON under NRS 125C.004. While not specifically requested, the Court will also consider her right to visitation under NRS 125C.050.

(1) Custody of PRESTON under NRS 125C.004.

NRS 125.004 provides:

"Before a Court makes an order awarding custody of any person, without the consent of the parent, it shall make a finding that an award of custody to a parent would be detrimental to the child and the award to a nonparent is required to serve the best interest of the child."

This statute expresses the parental preference policy established in Nevada. The parental preference policy is stated in *Litz v. Bennum*, 111 Nev. 35, 38, 888 P.2d 438, 440 (1995), as follows:

"We conclude that the parental preference policy is a rebuttable presumption that must be overcome either by showing that the parent is unfit or other extraordinary circumstances."

This policy was cited most recently with approval in *English v. English*, No. 77539 COA (Nev. Ct. App. Aug. 15, 2019). *See also, Locklin v. Duka*, 112 Nev. 1489, 929 P.2d 930 (1996).

process fair between the litigants. The role of the Judge as a neutral, passive, fair fact-finder and decision-maker is fundamental to our process.

There is also another policy that bears importance here. It is that judges must hold timely hearings and make decisions in a timely fashion. Judges must be available to timely resolve disputes. This is particularly true in family law matters where disputes increase over time unless they are resolved. There is policy that family court matters should take no longer than 1 year from filing to final judgment. This Court's personal philosophy is that the sooner the dispute can be decided, the better for families and children. Delay only increases litigation and animosity. At least some of the chaos, anger, and animosity that exists in this case exists because of the failure of the Court to conclude the dispute timely. These litigants need a decision. And while the functioning of the parties is hardly ideal, the Court is not blameless on the sad state of affairs.

While the term “detrimental” is not defined, the term “unfit parent” has definition under NRS 128.018. While the Court understands that the concept of an unfit parent has greater consequential impact under NRS chapter 128, the concept remains fundamentally the same. NRS 128.018 defines an “unfit parent” as a parent “who by reason of the parent’s fault, or habit, or conduct toward a child . . . fails to provide such child with proper care, guidance and support.” Further, NRS 129.106 lists considerations of unfitness in termination of parental rights cases. A fair reading of the law is that parental unfitness and the concept of detriment under NRS 125C.004 require a finding of a *chronic or acute* condition adversely impacting the parent’s ability to provide care for a child.

In summarizing the lessons that he learned from his life, J.D. Vance in “Hillbilly Elegy: A Memoir of a Family and Culture in Crisis” artfully stated, “ I knew that a mother could love her son despite the grip of addiction.” This Court as the Juvenile Court Judge has often made the cynical statement that a little abuse or neglect is better than foster care. The concepts of “detriment” and “unfitness” in relationship to parenting are not absolute. All parents struggle. Unmarried mothers with no or low wage employment face challenges in raising their children that are often overwhelming. And while there are circumstances where children are removed either permanently or temporarily from the care of parents, the power of the Court to enter such an Order should never be made without careful consideration. It is fundamental that there is a duty to support the parent and to recognize that children do better when loving parents raise their children. While the line between fit and unfit parenting can be crossed, parents are rarely perfect and children cannot be guaranteed perfect lives. But the love between a parent and child is nearly impossible to replace or replicate.

The burden of proof rests on the paternal grandmother and paternal aunt to overcome the presumption. The level of proof sufficient to overcome the parental preference has not been determined in Nevada to this Court's knowledge. With the notable exception of children subject to the Indian Child Welfare Act, it appears that the majority of jurisdictions would require that the paternal grandmother and aunt are required to overcome the parental preference presumption by a preponderance of the evidence. *E.g., In re Barros*, 701 N.W.2d 402 (N.D. 2005), and *Adoption of Kelsey S.*, Cal. Rptr. 760 (Cal. App. 1990).

Ms. COLT and STACEY assert that ALYSA is a detriment to PRESTON. Their assertions cover four broad areas: (1) They assert that ALYSA abuses alcohol, illicit drugs and prescription pain medication; (2) They assert that ALYSA has a violent temperament and has engaged in acts of domestic violence; (3) They assert that ALYSA has an unstable mental condition; and (4) They assert that ALYSA is physically abusive to PRESTON.

In considering these assertions, the Court has the benefit of ample testimony and exhibits. As noted, there have been 34 referrals to Child Protective Services made by the parties and on a few times, others. Of those referrals all were unsubstantiated excepting an incident that occurred on November 23, 2014, between ALYSA and her brother, Adam. Summarily, Adam and ALYSA got into a fist fight and during part of the incident ALYSA was holding PRESTON whose head hit a door. While there were no substantial injuries, there is no doubt that the incident was violent and greater steps should have been made to protect PRESTON. While CPS substantiated the incident, there appears no indication that formal Juvenile Court proceedings were filed.

In reviewing the CPS files there are several observations. First, CPS was extensively involved with ALYSA, PRESTON, and Ms. COLT for many years from August 2013 until the end of 2018. The effort expended by Protective Services was great. Each allegation was thoroughly investigated and documented. Even when CPS noted that the referrals were the product of this custody battle and the prior custody battle between SEAN and ALYSA, CPS took the complaints seriously and conducted the investigations appropriately. Reports were done and assessments made.

The clear implication from the Exhibits is that ALYSA, Ms. COLT, and STACEY all participated in an effort to make CPS a pawn in the custody litigation before the Court. Further, there is believable and supported evidence that particularly ALYSA and Ms. COLT were untruthful with those investigating and providing services in this case. And there is clear indication that ALYSA and Ms. COLT manipulated PRESTON in regards to his statements about incidents. What the Court faces is a case in which the parties were willing to engage in any tactic to gain the end they desired. They were willing to involve any agency or person, including PRESTON, in their effort. In many cases manipulation is disguised and less directly involves the child. Here, the manipulation and coaching of PRESTON was open and obvious to the agencies involved. The lack of candor and truthfulness by Ms. COLT and ALYSA was obvious. The animosity between the parties was even more obvious.

While the history of this case reflects the horrendous mutual animosity between the paternal family and ALYSA, it also reflects some recognition that the mother's care of the child, particularly as supported by the maternal grandmother, is at least marginally adequate. CPS has not pursued other placement and the Court has not removed PRESTON from her care. The

Guardian ad litem does not recommend placement of the child with the paternal grandmother or aunt. In substance and in spite of the great involvement of all and six (6) years of active litigation, PRESTON remains in the care of his mother.

1. ALYSA's abuse of alcohol, illicit drug abuse, and abuse of prescription drugs and ALYSA's violent temperament.

The issues of alleged alcohol abuse, illicit drug use, and abuse of prescription drugs are considered with the issue of ALYSA's alleged violent temperament. They are related. The evidence amply supports ALYSA's abuse of alcohol. There are many incidents in the CPS reports and police reports where ALYSA was found to be "extremely intoxicated." While ALYSA claims that she has stopped her alcohol use and ceased taking pain medication, she has not provided proof of any program involvement or other supporting proof. However, there appear no recent incidents where ALYSA has been found to be in an alcohol or drug-impaired state. At trial, ALYSA attributed many of her violent and explosive events to her use of alcohol.

ALYSA also expresses extreme frustration over this nearly eight (8) year custody battle. She is a single mother with marginal income struggling with raising her child under a microscope. She does feel powerless to resolve this matter under the pressure placed by the paternal family. Inappropriately she turns to alcohol, often becoming violent. Physically fighting back also seems characteristic of the way she handles many conflicts. The lack of substantiated referrals from CPS does not indicate that she does not abuse alcohol nor does it indicate she is not inappropriately violent. What they do indicate is that she does not place PRESTON at risk. On many of the occasions where her behavior is questioned, PRESTON is in

the care of others. The Court does believe that ALYSA would never be abusive or intentionally harmful to PRESTON.

Additionally, too little attention has been given to the supportive role that ALYSA's mother has played in her life and PRESTON's life. When the Exhibits are carefully considered, ALYSA's mother seems to be the person who reflects the calmness and appropriate guidance to get things back on track when ALYSA drinks to excess or becomes violent. Her quiet support seems to get the family through much regardless of ALYSA's periodic misbehaviors. ALYSA's excessive behaviors are tempered by her mother's involvement with PRESTON.

Unfitness or detriment reflect chronic or acute conditions rendering a parent unable to provide for their child. Many parents abuse alcohol and many act violently toward others but they are still able to function as parents. The Court believes that ALYSA could do much more to address her alcohol abuse, pain medication management, and violent conduct. But she is not unfit such that she cannot parent her child. She certainly loves PRESTON and is motivated to be a good parent for him.

The Court is not convinced that ALYSA has a significant issue with drug abuse or abuse of prescription medication. Aside from her abuse alcohol, which appears much more consistently, the abuse of illicit drugs and abuse of her pain medication appears rarely and are not sufficiently proved to support a finding of unfitness. And even more compelling is the fact that there appears only one significant incident involving a fight with her brother in 2014 – over 6 years ago- where PRESTON was at risk.

ALYSA has been “watched” more closely than the vast majority of parents that come before Family Court. She is watched by the paternal relatives and by CPS. Many challenges

have been made to her parenting and many Court proceedings have been held where the Court has been temporarily requested to remove PRESTON from her care. A Guardian ad litem has been appointed for the child.⁵ As the Guardian ad Litem, Robert Cerceo, Esq. noted, the allegations of incidents regarding ALYSA's alcohol abuse and challenges to ALYSA's temperament are "dated." ALYSA has her issues but her alcohol use, and prescription drug issues, and the resulting violent nature that sometimes arises do not rise to the level of unfitness required to remove the child from her care.

c. ALYSA's alleged unstable mental condition

On June 4, 2018, ALSYA was detained on a "Legal 2000," a mental health hold. She was hospitalized for a short period of days and released. At the time of her detention she was found to be "extremely intoxicated." Aside from this incident, there is an absence of any significant mental health history. The June 2018 hold appears to be much more of a comment on her inappropriate use of alcohol than upon some greater mental health issue.

d. ALYSA's alleged physical abuse of PRESTON

Much effort has been made by Ms. COLT and STACEY to convince the Court and others including CPS and police agencies that ALYSA burns PRESTON with either cigarettes or a cigarette lighter. ALYSA has also reported that the child has been returned from visits with Ms. COLT with unexplained burns. As previously noted, the burden of proof and persuasion rests with Ms. COLT and STACEY.

⁵ Robert Cerceo, Esq. was appointed as Guardian ad litem. The Court found his input to be extremely valuable. He did his job with the highest professional standards possible. He testified that he read every report in this matter and carefully spoke with PRESTON. Besides being a respectable and competent family law attorney, he has the life experiences that enable him to have insight to the dynamics at issue. The Court applauds the efforts of Mr. Cerceo.

In spite of the fact that Ms. COLT and STACEY indicated that they had an expert doctor who would support their claim that conditions on the child's skin were burns, no expert or expert report was produced at trial.⁶ What does exist is a statement by Aaron McCook, apparently a physician's assistant, that the alleged burns were dermatitis and "ill-defined hypopigmentation." Def. Exhibit C, AMP 000003. This was determined in part due to the ill-defined margins of the injury. Apparently a cigarette or cigarette lighter burn would be expected to leave round, even margins.

The Court is not convinced that these alleged injuries or conditions were the result of abuse or neglect. Further, and even assuming some type of nonaccidental injury, the Court was unconvinced as to whom may have caused the injury.

Summarily, in spite of the very close "monitoring" by the Petitioner and Intervenor and much involvement and attention by CPS, various police departments, the counseling agency, and the extreme amount of attention each has made in this matter, ALYSA has been generally compliant and transparent. She involves PRESTON in counseling. She is generally not secretive regarding PRESTON's care. More attention has been focused on ALYSA's parenting than in virtually any other case. With all this focus, ALYSA retains custody albeit not without some difficulty.

And PRESTON in spite of the tug-of-war remains a reasonably normal child. He has suffered some behavioral issues at school but he is doing much better than the history of this

⁶ At the trial in July 2019, Judge Moss inquired whether there would be an expert presented by Ms. COLT and STACEY regarding the burns. Petitioner and Intervenor said that it was considered but too expensive. The dispute over PRESTON's alleged burns was one of the central features regarding ALYSA's alleged unfitness. The failure to produce evidence that the child's skin issues were burns as opposed to other natural conditions is problematic.

litigation would predict. He is stable. He loves both his mother and paternal relatives. A fair reading of this case is that the adults involved intimately in his life are the largest barriers he faces. It would not be in PRESTON'S best interest to grant the request of Ms. COLT and STACEY for custody. ALYSA was not proved to be an unfit parent or a detriment to her son and the child's best interest is not served by awarding custody to either Ms. COLT or STACEY. The requests of Ms. COLT and KANTER for custody of PRESTON are DENIED.

(2) COLT and STACEY's request for visitation under NRS 125C.050.

Since the natural father, SEAN, is deceased, the paternal grandmother, Ms. COLT, has standing under NRS 125C.050 (1) (a) to petition this Court for grandparent visitation. Additionally, based upon her testimony that she has spent much time with PRESTON, the Court finds that the paternal aunt, STACEY KANTER, has standing to petition this Court for visitation under NRS 125C.050 (2).

NRS 125C.050 (3) requires that the person seeking visitation demonstrate that visitation with the child has been denied or unreasonably restricted. This criteria is more difficult than it may appear from the long history of this case. ALYSA is generally very compliant with visitation, contact, and custody orders imposed by the Court. But it also cannot be disputed that on some occasions there has been denial of contact or at least, some effort to deny contact. And it is probably unreasonable to assume that based upon the animosity and conflict between the parties, there should not be consideration of visitation issues. Thus, the Court determines that there is a sufficient concern about restriction or denial of visitation to consider the issue of visitation under NRS 125C.050 (4) – (6).

Under NRS 125C.050 (6), there is a rebuttable presumption that ALYSA's decisions about visitation with the paternal family control unless the Court finds by clear and convincing evidence that visitation with Ms. COLT and STACEY is in the best interests of the child. In making the best interest determination, the Court *shall* consider the factors in NRS 125C.050 (6).

Before considering the specific factors mandated by the statute, some consideration is given to the general circumstances of this case. First, the Court believes that PRESTON is surrounded by many from both the paternal and maternal families who love and care for him. The father's death was sad. However, his death need not result in the loss of PRESTON's ability to remain contacted with father's relatives, especially where, as here, the maternal grandmother and aunts have demonstrated a commitment to the child. A child benefits from the more people that love the child. In this case there are many who love the child and who, if they worked together, could provide much support for PRESTON. Imagine a world in which the mother, the maternal grandmother, the paternal grandmother, and the aunt were pulling together to assist, support, and love PRESTON. Imagine a world where PRESTON was not "coached" and manipulated; where he could talk freely to everyone about his life; and where he could see adults that supported each other in regards to him and his concerns. But six (6) years of litigation demonstrates that this world does not exist for PRESTON.

In considering the factors under NRS 125C.050 (6), excepting NRS 125C.050 (6) (g), examination of the factors support Ms. COLT and STACEY's request for the Court to grant a right of visitation. NRS 125C.050 (6) (g) requires the Court to consider the willingness and ability of

the party seeking visitation to facilitate and encourage a close and continuing relationship between the child and the parent .

The child, through his Guardian ad litem, has expressed a desire to maintain a relationship with the paternal relatives. Further, the Court does not find any moral unfitness concerns. Ms. COLT has spent far too much time focused on the impact of her prior CPS history. While CPS has its policies, this Court believes that denying custody or visitation of a child to Ms. COLT based on that history was not warranted for that reason alone.

BUT considering the high degree of animosity and conflict between Ms. COLT and STACEY, on the one hand, and ALYSA, on the other, and *consideration of the extent that this conflict and animosity has involved PRESTON*, there are real doubt as to whether continued contact by the paternal relatives serves PRESTON's best interest.

This is not to suggest that the paternal family bears sole responsibility for the animosity and its impact on, and involvement of PRESTON in that animosity and conflict. ALYSA bears much of the responsibility. But the issue is the right of the paternal family to visit and if that visitation is denied in the best interest of the child, Ms. COLT and STACEY must bear the loss. ALYSA's loss is the positive support that the paternal family *could* provide her and her son. And the animosity and conflict while high would not necessarily result in a denial of the Petitioner and Intervenor's claim for visitation had it not so clearly involved PRESTON. PRESTON has been confronted by the conflict and impacted by it. When a child is forced to consistently and constantly disclose perpetrators of acts, the best interest of the child is not served. When the child is constantly exposed to the animosity of the main persons in his life, his best interest is not served.

The Court recognizes that there are many ways that PRESTON's best interest is served by maintenance of contact with Ms. COLT and STACEY. First, he loves them. Second, he benefits from working through his struggle about the loss of his father. Third, there are likely financial and support benefits. ALYSA, as a young mother with financial, alcohol, and mental health issues periodically, could certainly benefit from the support of the paternal family for PRESTON during difficult times. But to date, all of those positive benefits have proved not to justify continued involvement with PRESTON. It is absolutely believed that if this course of behavior continues PRESTON will suffer emotionally to a much greater extent. There is no reason, for example, why his counseling focuses on the blame for perceived injuries. There is no reason for 37 unsubstantiated reports to CPS. There is no reason why this child is continually questioned about who caused his scratches and skin conditions.

The Court regrets that the paternal family and ALYSA cannot come together in a cooperative effort to support ALYSA and PRESTON. ALYSA does fail to recognize that such a positive relationship would benefit PRESTON and Ms. COLT and STACEY fail to understand the concept of supporting ALYSA in her relationship with PRESTON. Each side may feel justified in its position but the fact remains that this toxic battle cannot benefit PRESTON and cannot continue. Six (6) years of this war is enough. The Petition of Ms. COLT and STACEY for Court-ordered visitation is DENIED.⁷

⁷ The Court's decision is compelled. The Petitioner and Intervenor have not demonstrated by clear and convincing evidence that the child's best interest is served by the continuing of visitation with Ms. COLT and STACEY. This does not mean that there cannot be visitation but it does mean that ALYSA and the paternal family will have to find ways to resolve their differences. The Court suggests that counseling through existing counseling in place for PRESTON may be a place to start but that is up to the litigants. It is up to ALYSA to understand that PRESTON will suffer from losing contact with people he loves and that he will benefit from

Finally, a review of the file discloses several issues remaining to be decided by the Court. There is an outstanding contempt issue relative to Ms. COLT. There are requests for attorney's fees. The Court specifically DENIES any and all other outstanding requests.

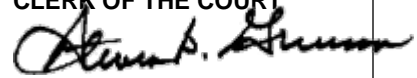
THIS DECISION and ORDER shall constitute the Findings of Fact, Conclusions of Law and final Order in this matter.

DATED this 18th day of February, 2021.

A handwritten signature in black ink, appearing to read "G. W. Hardcastle", written over a horizontal line.

HON. GERALD W. HARDCASTLE
SENIOR DISTRICT COURT JUDGE

continued contact that is respectful and healthy for everyone. Ms. COLT and STACEY need to understand that they need to find ways to be encouraging and supportive of PRESTON's relationship with his mother. And all need to understand that PRESTON has enough struggles in his young life without the burdens of seeing the conflict and animosity that those involved here impose on him.



NEOJ

Robert Cerceo, Esq.
Nevada Bar No. 5247
Jason Naimi, Esq.
Nevada Bar No. 9441
NAIMI & CERCEO
efile@naimicerceo.com
10000 W. Charleston Blvd., Suite 110
Las Vegas, Nevada 89135
Telephone: 702.901.4800
Facsimile: 702.463.0905
Attorneys for Preston Colt

DISTRICT COURT, FAMILY DIVISION

CLARK COUNTY, NEVADA

MARY-ANNE COLT, STACEY
KANTER, MARY-ANNE COLT,

Plaintiff,

v.

ALYSA MARIE PLUMMER,

Defendant.

CASE NO. D-17-560076-C

DEPT. NO. I

NOTICE OF ENTRY OF DECISION AND ORDER

PLEASE TAKE NOTICE that the *Decision and Order* was entered in the above-entitled matter on February 18, 2021, a copy of which is attached hereto.

DATED this 19th day of February, 2021.

NAIMI & CERCEO

By: /s/ Robert Cerceo, Esq.

Robert Cerceo, Esq.
Nevada Bar No. 5247
Jason Naimi, Esq.
10000 W. Charleston Blvd., Ste. 110
Las Vegas, Nevada 89135
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of NAIMI & CERCEO, and that on the 19th day of February, 2021, I served a copy of the foregoing *Notice of Entry of Decision and Order* as follows:

☒ 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 Eighth Judicial District Court,” by mandatory electronic service through the Eighth Judicial District Court’ electronic filing system; and/or

☐ pursuant to EDCR 8.05(a) and NRCP 5(b)(2)(D), because the individual listed is not registered with the Court’s **mandatory** e-service system, via electronic mail or facsimile; and/or

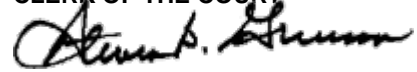
☐ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class mail postage was prepaid via certified mail in Las Vegas, Nevada;

To the individual(s) listed below at the address, email address and/ facsimile number indicated below.:

Carol M. Barnes
Maryanne Colt
Carrie E. Hurtik, Esq.
Stacey Kanter
Linda Lay
Keith Moore

eserviceblg@gmail.com
maryannecolt@gmail.com
churtik@hurtiklaw.com
justice4preston2020@gmail.com
llay@hurtiklaw.com
kmoore@hurtiklaw.com

/s/ Stephanie Pitts
An employee of Naimi & Cerceo



DAO (FAM)

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

MARY-ANNE COLT,)	
)	
Plaintiff,)	
)	CASE NO. D-17-560076-C
vs.)	
)	DEPT. NO: I
ALYSA MARIE PLUMMER,)	
)	
Defendant.)	
_____)	
)	
STACEY KANTER,)	
)	
Intervenor.)	
_____)	

DECISION AND ORDER

The above entitled matter came on regularly for trial commencing on the 7th day of July, 2019, and was continued from time to time until the conclusion of the trial on January 29, 2021. At the commencement of the trial, Plaintiff, MARY-ANN COLT, and Intervenor, STACEY KANTER, were represented by CAROL BARNES, ESQ. However, by the conclusion of the proceedings on January 28-29, 2021, Plaintiff and Intervenor appeared in proper person. Defendant, ALYSA MARIE PLUMMER, is represented by LINDA L. LAY, ESQ. and CARRIE E. HURTIK, ESQ. of the Law Offices of Carrie E. Hurtik. The Court, having considered the pleadings and papers on file, having reviewed the testimony taken at the prior trial proceedings on July 10-11, 2019, having

considered the exhibits admitted at trial, and having presided over the conclusion of the trial on January 28-29, 2021, does hereby made its Decision and Order.

STATEMENT OF PROCEEDINGS

PRESTON ODIN COLT (PRESTON) was born on June 25, 2013. The parents were not married at the time of the child's birth but paternity is not disputed. ALYSA MARIE PLUMMER (ALYSA) is PRESTON's mother. The child's father is SEAN COLT (SEAN). At the time of the child's birth ALYSA and SEAN were residing together but in October 2013 the parents separated.

On November 6, 2013, SEAN filed a petition before the Clark County Family Court seeking essentially a declaration of paternity and custody of PRESTON.¹ While many of the allegations raised in that case were repeated in this case, the Court was not asked to take notice of the file. The file was reviewed, however, to gain a historical perspective of the earlier proceedings. This cursory review reflects the aggressive and hostile attitudes and actions of the paternal family and ALYSA that has continued to the present.

The case involving SEAN and ALYSA was terminated with the death of SEAN by drug overdose on August 17, 2017. By this time PRESTON was four (4) years of age. On August 23, 2017, six (6) days after SEAN's death the case was on before the Family Court Judge who was notified of SEAN's death. The minutes of that hearing reflect that the Court orally awarded the sole legal and sole physical custody of PRESTON to his mother, ALYSA. This decision does not appear to be a decision on the underlying merits of the contested issues between SEAN and ALYSA.

¹ SEAN COLT v. ALYSA PLUMMER, filed as D-13-487835-C in the Eighth Judicial District Court of the State of Nevada, Family Division.

Within three (3) months after this hearing, SEAN's mother, MARY-ANN COLT (Ms. COLT), on October 11, 2017, filed her Complaint for Child Custody, or in the Alternative, for Grandparent Visitation seeking custody or alternatively, visitation with PRESTON.

During the course of the litigation – and there was much of that² – Clark County Child Protective Services (CPS) received a referral and temporarily removed PRESTON from his mother's custody and placed the child with Ms. COLT. However, CPS found that Ms. COLT had prior protective service involvement in Texas and determined not to place the child with her even temporarily. While Ms. COLT and STACEY asserts that this is just coincidence, on January 8, 2019, PRESTON's paternal aunt, STACEY KANTER (STACEY), filed her motion to intervene. The motion reflects that STACEY requested she be awarded primary custody of PRESTON. The motion on STACEY's behalf was filed by attorney Carol Barnes, Esq. who represented Ms. COLT. Ms. Barnes continued to represent both STACEY and Ms. COLT until her subsequent withdrawal from all representation on July 16, 2019. STACEY'S intervention was granted by Order entered March 27, 2019.

² This case presents family court litigation at its worst. While the initial Family Court Judge's management is troublesome in extreme, the conduct of the litigants in both cases reflects an aggressive, hostile, and unfair attitude. Addressing the current case only, both Plaintiff, Plaintiff's family, and Defendant have sought to use the Court, Child Protective Services, various police agencies, and counselors in efforts to support their position without regard to facts. The Child Protective Service records submitted as Exhibit 1 at trial are approximately 2 ½ inches thick, consisting of 478 single spaced pages of reports and evaluations, beginning shortly after PRESTON's birth and continuing. Other Exhibits stipulated to be admitted at trial consist of police reports, police call records, counseling reports, school records and telephone records. The stipulated Exhibits amassed by the parties total over 7 inches of paper, But one fact alone says more than the snowstorm of paper; of the approximately 2 ½ inches of detailed Child Protective Service reports, assessments, and investigations, and of the approximately 34 referrals made by SEAN, his family, and ALYSA regarding PRESTON, **only 1 referral was substantiated and that substantiated referral did not result in a referral by Child Protective Services to the Juvenile Court for prosecution.**

STACEY aligns her position with her mother, Ms. COLT. And while it is clear that she seeks custody of PRESTON, there is no pleading which specifically defines her legal requests beyond the request for custody. More specifically, the Court is unclear whether the record reflects a request for visitation under NRS 125C.050 dealing with visitation independently and alternatively of her request for custody under NRS 125C.004. This is important in that each person seeking visitation requires an independent showing of status, i.e., a grandparent vs. a person with a significant connection to the child.

The trial or evidentiary hearing in this matter was commenced on July 10, 2019. On July 11, 2019, the matter was continued for further evidence but not concluded. While there were numerous pretrial and mid-trial proceedings during the intervening time, the trial or evidentiary hearing was heard on January 28, 2021. In the interim the assigned Judge retired and the matter was assigned to a newly-elected Family Court Judge in January 2021. The matter was then assigned to the present Senior Court Judge for resolution. The evidentiary portion of the trial was concluded on January 29, 2021.

This Judge has carefully reviewed the pleadings and papers on file. Testimony from the July 2019 proceedings and the January 28-29, 2021 proceedings were heard by videotape. The exhibits introduced at these trial dates were carefully reviewed and considered. While many of the exhibits were admitted in clear disregard for evidentiary rules, the exhibits were stipulated. Accordingly, this Judge considered the exhibits, reserving the right to weigh such exhibits as the Court deemed appropriate.

Many of the exhibits and much of the testimony at trial presented the Judge with conflicting information. There was a clear sense that the parties desired the Court reach factual

conclusions regarding incidents over the past nearly eight (8) years and sometime dating back even longer. Much of the evidence both in testimony and contained in exhibits was not relevant to the legal issues required to be decided by the Court. Much reflected the emotional state of the litigants towards the others. Much reflected the manipulation and coaching of the child and attempted manipulation of agencies. Much was dated. This Judge declines to go through each of the Child Protective Service allegations in an effort to precisely determine what occurred in each of the over 34 referrals.³ The evidence as a whole does present a reasonably clear factual picture on relevant legal issues. Said another way, the Judge considered the exhibits and factual testimony relevant to the issues of law presented but set aside the years of irrelevant disputes between the paternal family and ALYSA.⁴

³ In reviewing the trial testimony of the July 2019 hearings, Plaintiff and STACEY's attorney called non-party witnesses but essentially had them testify only as to matters contained in exhibits already admitted. The testimony only duplicated the previously evidence stipulated to be admitted. In fact, other than the parties themselves, there was no witness wanting to be called who had not submitted reports already stipulated to as evidence. Additionally, ALYSA provided ample testimony at the first trial proceedings.

At the second trial proceedings, Ms. COLT and STACEY were no longer represented by attorneys. Ms. COLT was allowed to testify in the narrative but was unable to do so without arguing each idea, foregoing any factual base for her testimony. After much frustration, the Guardian ad Litem offered to direct questions to her respecting PRESTON's best interests. Ms. COLT agreed to this procedure.

The Court expressed that in view of the vast volume of exhibits which seemed to explore the issues presented in great detail, the Court felt that the exhibits and the testimony already submitted provided a sufficient basis for making a ruling. In that light, further testimony seemed unnecessary. The Court advised that it would review the exhibits in full and listen to the proceedings and consider the trials both in July 2019 and January 2021. The parties agreed that further testimony was not necessary and stipulated to the process. Finally, the Court allowed final argument and the matter was submitted.

⁴ As a matter of process, this case is one of the most difficult experienced by the Court. Fundamentally, the adversarial process leaves the issue of pre-trial and trial process to the litigants. They are charged with obtaining the evidence and presenting the matter to the Court. The Court's roles are (1) to decide the matter after hearing the evidence, and (2) to keep the

LEGAL ANALYSIS

Ms. COLT's Petition seeks two alternative judgments: (1) custody of PRESTON under NRS 125C.004, and (2) grandparent visitation with PRESTON under NRS 125C.050 (1) (A). STACEY's Petition for Intervention also requests custody of PRESTON under NRS 125C.004. While not specifically requested, the Court will also consider her right to visitation under NRS 125C.050.

(1) Custody of PRESTON under NRS 125C.004.

NRS 125.004 provides:

"Before a Court makes an order awarding custody of any person, without the consent of the parent, it shall make a finding that an award of custody to a parent would be detrimental to the child and the award to a nonparent is required to serve the best interest of the child."

This statute expresses the parental preference policy established in Nevada. The parental preference policy is stated in *Litz v. Bennum*, 111 Nev. 35, 38, 888 P.2d 438, 440 (1995), as follows:

"We conclude that the parental preference policy is a rebuttable presumption that must be overcome either by showing that the parent is unfit or other extraordinary circumstances."

This policy was cited most recently with approval in *English v. English*, No. 77539 COA (Nev. Ct. App. Aug. 15, 2019). *See also, Locklin v. Duka*, 112 Nev. 1489, 929 P.2d 930 (1996).

process fair between the litigants. The role of the Judge as a neutral, passive, fair fact-finder and decision-maker is fundamental to our process.

There is also another policy that bears importance here. It is that judges must hold timely hearings and make decisions in a timely fashion. Judges must be available to timely resolve disputes. This is particularly true in family law matters where disputes increase over time unless they are resolved. There is policy that family court matters should take no longer than 1 year from filing to final judgment. This Court's personal philosophy is that the sooner the dispute can be decided, the better for families and children. Delay only increases litigation and animosity. At least some of the chaos, anger, and animosity that exists in this case exists because of the failure of the Court to conclude the dispute timely. These litigants need a decision. And while the functioning of the parties is hardly ideal, the Court is not blameless on the sad state of affairs.

While the term “detrimental” is not defined, the term “unfit parent” has definition under NRS 128.018. While the Court understands that the concept of an unfit parent has greater consequential impact under NRS chapter 128, the concept remains fundamentally the same. NRS 128.018 defines an “unfit parent” as a parent “who by reason of the parent’s fault, or habit, or conduct toward a child . . . fails to provide such child with proper care, guidance and support.” Further, NRS 129.106 lists considerations of unfitness in termination of parental rights cases. A fair reading of the law is that parental unfitness and the concept of detriment under NRS 125C.004 require a finding of a *chronic or acute* condition adversely impacting the parent’s ability to provide care for a child.

In summarizing the lessons that he learned from his life, J.D. Vance in “Hillbilly Elegy: A Memoir of a Family and Culture in Crisis” artfully stated, “ I knew that a mother could love her son despite the grip of addiction.” This Court as the Juvenile Court Judge has often made the cynical statement that a little abuse or neglect is better than foster care. The concepts of “detriment” and “unfitness” in relationship to parenting are not absolute. All parents struggle. Unmarried mothers with no or low wage employment face challenges in raising their children that are often overwhelming. And while there are circumstances where children are removed either permanently or temporarily from the care of parents, the power of the Court to enter such an Order should never be made without careful consideration. It is fundamental that there is a duty to support the parent and to recognize that children do better when loving parents raise their children. While the line between fit and unfit parenting can be crossed, parents are rarely perfect and children cannot be guaranteed perfect lives. But the love between a parent and child is nearly impossible to replace or replicate.

The burden of proof rests on the paternal grandmother and paternal aunt to overcome the presumption. The level of proof sufficient to overcome the parental preference has not been determined in Nevada to this Court's knowledge. With the notable exception of children subject to the Indian Child Welfare Act, it appears that the majority of jurisdictions would require that the paternal grandmother and aunt are required to overcome the parental preference presumption by a preponderance of the evidence. *E.g., In re Barros*, 701 N.W.2d 402 (N.D. 2005), and *Adoption of Kelsey S.*, Cal. Rptr. 760 (Cal. App. 1990).

Ms. COLT and STACEY assert that ALYSA is a detriment to PRESTON. Their assertions cover four broad areas: (1) They assert that ALYSA abuses alcohol, illicit drugs and prescription pain medication; (2) They assert that ALYSA has a violent temperament and has engaged in acts of domestic violence; (3) They assert that ALYSA has an unstable mental condition; and (4) They assert that ALYSA is physically abusive to PRESTON.

In considering these assertions, the Court has the benefit of ample testimony and exhibits. As noted, there have been 34 referrals to Child Protective Services made by the parties and on a few times, others. Of those referrals all were unsubstantiated excepting an incident that occurred on November 23, 2014, between ALYSA and her brother, Adam. Summarily, Adam and ALYSA got into a fist fight and during part of the incident ALYSA was holding PRESTON whose head hit a door. While there were no substantial injuries, there is no doubt that the incident was violent and greater steps should have been made to protect PRESTON. While CPS substantiated the incident, there appears no indication that formal Juvenile Court proceedings were filed.

In reviewing the CPS files there are several observations. First, CPS was extensively involved with ALYSA, PRESTON, and Ms. COLT for many years from August 2013 until the end of 2018. The effort expended by Protective Services was great. Each allegation was thoroughly investigated and documented. Even when CPS noted that the referrals were the product of this custody battle and the prior custody battle between SEAN and ALYSA, CPS took the complaints seriously and conducted the investigations appropriately. Reports were done and assessments made.

The clear implication from the Exhibits is that ALYSA, Ms. COLT, and STACEY all participated in an effort to make CPS a pawn in the custody litigation before the Court. Further, there is believable and supported evidence that particularly ALYSA and Ms. COLT were untruthful with those investigating and providing services in this case. And there is clear indication that ALYSA and Ms. COLT manipulated PRESTON in regards to his statements about incidents. What the Court faces is a case in which the parties were willing to engage in any tactic to gain the end they desired. They were willing to involve any agency or person, including PRESTON, in their effort. In many cases manipulation is disguised and less directly involves the child. Here, the manipulation and coaching of PRESTON was open and obvious to the agencies involved. The lack of candor and truthfulness by Ms. COLT and ALYSA was obvious. The animosity between the parties was even more obvious.

While the history of this case reflects the horrendous mutual animosity between the paternal family and ALYSA, it also reflects some recognition that the mother's care of the child, particularly as supported by the maternal grandmother, is at least marginally adequate. CPS has not pursued other placement and the Court has not removed PRESTON from her care. The

Guardian ad litem does not recommend placement of the child with the paternal grandmother or aunt. In substance and in spite of the great involvement of all and six (6) years of active litigation, PRESTON remains in the care of his mother.

1. ALYSA's abuse of alcohol, illicit drug abuse, and abuse of prescription drugs and ALYSA's violent temperament.

The issues of alleged alcohol abuse, illicit drug use, and abuse of prescription drugs are considered with the issue of ALYSA's alleged violent temperament. They are related. The evidence amply supports ALYSA's abuse of alcohol. There are many incidents in the CPS reports and police reports where ALYSA was found to be "extremely intoxicated." While ALYSA claims that she has stopped her alcohol use and ceased taking pain medication, she has not provided proof of any program involvement or other supporting proof. However, there appear no recent incidents where ALYSA has been found to be in an alcohol or drug-impaired state. At trial, ALYSA attributed many of her violent and explosive events to her use of alcohol.

ALYSA also expresses extreme frustration over this nearly eight (8) year custody battle. She is a single mother with marginal income struggling with raising her child under a microscope. She does feel powerless to resolve this matter under the pressure placed by the paternal family. Inappropriately she turns to alcohol, often becoming violent. Physically fighting back also seems characteristic of the way she handles many conflicts. The lack of substantiated referrals from CPS does not indicate that she does not abuse alcohol nor does it indicate she is not inappropriately violent. What they do indicate is that she does not place PRESTON at risk. On many of the occasions where her behavior is questioned, PRESTON is in

the care of others. The Court does believe that ALYSA would never be abusive or intentionally harmful to PRESTON.

Additionally, too little attention has been given to the supportive role that ALYSA's mother has played in her life and PRESTON's life. When the Exhibits are carefully considered, ALYSA's mother seems to be the person who reflects the calmness and appropriate guidance to get things back on track when ALYSA drinks to excess or becomes violent. Her quiet support seems to get the family through much regardless of ALYSA's periodic misbehaviors. ALYSA's excessive behaviors are tempered by her mother's involvement with PRESTON.

Unfitness or detriment reflect chronic or acute conditions rendering a parent unable to provide for their child. Many parents abuse alcohol and many act violently toward others but they are still able to function as parents. The Court believes that ALYSA could do much more to address her alcohol abuse, pain medication management, and violent conduct. But she is not unfit such that she cannot parent her child. She certainly loves PRESTON and is motivated to be a good parent for him.

The Court is not convinced that ALYSA has a significant issue with drug abuse or abuse of prescription medication. Aside from her abuse alcohol, which appears much more consistently, the abuse of illicit drugs and abuse of her pain medication appears rarely and are not sufficiently proved to support a finding of unfitness. And even more compelling is the fact that there appears only one significant incident involving a fight with her brother in 2014 – over 6 years ago- where PRESTON was at risk.

ALYSA has been “watched” more closely than the vast majority of parents that come before Family Court. She is watched by the paternal relatives and by CPS. Many challenges

have been made to her parenting and many Court proceedings have been held where the Court has been temporarily requested to remove PRESTON from her care. A Guardian ad litem has been appointed for the child.⁵ As the Guardian ad Litem, Robert Cerceo, Esq. noted, the allegations of incidents regarding ALYSA's alcohol abuse and challenges to ALYSA's temperament are "dated." ALYSA has her issues but her alcohol use, and prescription drug issues, and the resulting violent nature that sometimes arises do not rise to the level of unfitness required to remove the child from her care.

c. ALYSA's alleged unstable mental condition

On June 4, 2018, ALSYA was detained on a "Legal 2000," a mental health hold. She was hospitalized for a short period of days and released. At the time of her detention she was found to be "extremely intoxicated." Aside from this incident, there is an absence of any significant mental health history. The June 2018 hold appears to be much more of a comment on her inappropriate use of alcohol than upon some greater mental health issue.

d. ALYSA's alleged physical abuse of PRESTON

Much effort has been made by Ms. COLT and STACEY to convince the Court and others including CPS and police agencies that ALYSA burns PRESTON with either cigarettes or a cigarette lighter. ALYSA has also reported that the child has been returned from visits with Ms. COLT with unexplained burns. As previously noted, the burden of proof and persuasion rests with Ms. COLT and STACEY.

⁵ Robert Cerceo, Esq. was appointed as Guardian ad litem. The Court found his input to be extremely valuable. He did his job with the highest professional standards possible. He testified that he read every report in this matter and carefully spoke with PRESTON. Besides being a respectable and competent family law attorney, he has the life experiences that enable him to have insight to the dynamics at issue. The Court applauds the efforts of Mr. Cerceo.

In spite of the fact that Ms. COLT and STACEY indicated that they had an expert doctor who would support their claim that conditions on the child's skin were burns, no expert or expert report was produced at trial.⁶ What does exist is a statement by Aaron McCook, apparently a physician's assistant, that the alleged burns were dermatitis and "ill-defined hypopigmentation." Def. Exhibit C, AMP 000003. This was determined in part due to the ill-defined margins of the injury. Apparently a cigarette or cigarette lighter burn would be expected to leave round, even margins.

The Court is not convinced that these alleged injuries or conditions were the result of abuse or neglect. Further, and even assuming some type of nonaccidental injury, the Court was unconvinced as to whom may have caused the injury.

Summarily, in spite of the very close "monitoring" by the Petitioner and Intervenor and much involvement and attention by CPS, various police departments, the counseling agency, and the extreme amount of attention each has made in this matter, ALYSA has been generally compliant and transparent. She involves PRESTON in counseling. She is generally not secretive regarding PRESTON's care. More attention has been focused on ALYSA's parenting than in virtually any other case. With all this focus, ALYSA retains custody albeit not without some difficulty.

And PRESTON in spite of the tug-of-war remains a reasonably normal child. He has suffered some behavioral issues at school but he is doing much better than the history of this

⁶ At the trial in July 2019, Judge Moss inquired whether there would be an expert presented by Ms. COLT and STACEY regarding the burns. Petitioner and Intervenor said that it was considered but too expensive. The dispute over PRESTON's alleged burns was one of the central features regarding ALYSA's alleged unfitness. The failure to produce evidence that the child's skin issues were burns as opposed to other natural conditions is problematic.

litigation would predict. He is stable. He loves both his mother and paternal relatives. A fair reading of this case is that the adults involved intimately in his life are the largest barriers he faces. It would not be in PRESTON'S best interest to grant the request of Ms. COLT and STACEY for custody. ALYSA was not proved to be an unfit parent or a detriment to her son and the child's best interest is not served by awarding custody to either Ms. COLT or STACEY. The requests of Ms. COLT and KANTER for custody of PRESTON are DENIED.

(2) COLT and STACEY's request for visitation under NRS 125C.050.

Since the natural father, SEAN, is deceased, the paternal grandmother, Ms. COLT, has standing under NRS 125C.050 (1) (a) to petition this Court for grandparent visitation. Additionally, based upon her testimony that she has spent much time with PRESTON, the Court finds that the paternal aunt, STACEY KANTER, has standing to petition this Court for visitation under NRS 125C.050 (2).

NRS 125C.050 (3) requires that the person seeking visitation demonstrate that visitation with the child has been denied or unreasonably restricted. This criteria is more difficult than it may appear from the long history of this case. ALYSA is generally very compliant with visitation, contact, and custody orders imposed by the Court. But it also cannot be disputed that on some occasions there has been denial of contact or at least, some effort to deny contact. And it is probably unreasonable to assume that based upon the animosity and conflict between the parties, there should not be consideration of visitation issues. Thus, the Court determines that there is a sufficient concern about restriction or denial of visitation to consider the issue of visitation under NRS 125C.050 (4) – (6).

Under NRS 125C.050 (6), there is a rebuttable presumption that ALYSA's decisions about visitation with the paternal family control unless the Court finds by clear and convincing evidence that visitation with Ms. COLT and STACEY is in the best interests of the child. In making the best interest determination, the Court *shall* consider the factors in NRS 125C.050 (6).

Before considering the specific factors mandated by the statute, some consideration is given to the general circumstances of this case. First, the Court believes that PRESTON is surrounded by many from both the paternal and maternal families who love and care for him. The father's death was sad. However, his death need not result in the loss of PRESTON's ability to remain contacted with father's relatives, especially where, as here, the maternal grandmother and aunts have demonstrated a commitment to the child. A child benefits from the more people that love the child. In this case there are many who love the child and who, if they worked together, could provide much support for PRESTON. Imagine a world in which the mother, the maternal grandmother, the paternal grandmother, and the aunt were pulling together to assist, support, and love PRESTON. Imagine a world where PRESTON was not "coached" and manipulated; where he could talk freely to everyone about his life; and where he could see adults that supported each other in regards to him and his concerns. But six (6) years of litigation demonstrates that this world does not exist for PRESTON.

In considering the factors under NRS 125C.050 (6), excepting NRS 125C.050 (6) (g), examination of the factors support Ms. COLT and STACEY's request for the Court to grant a right of visitation. NRS 125C.050 (6) (g) requires the Court to consider the willingness and ability of

the party seeking visitation to facilitate and encourage a close and continuing relationship between the child and the parent .

The child, through his Guardian ad litem, has expressed a desire to maintain a relationship with the paternal relatives. Further, the Court does not find any moral unfitness concerns. Ms. COLT has spent far too much time focused on the impact of her prior CPS history. While CPS has its policies, this Court believes that denying custody or visitation of a child to Ms. COLT based on that history was not warranted for that reason alone.

BUT considering the high degree of animosity and conflict between Ms. COLT and STACEY, on the one hand, and ALYSA, on the other, and *consideration of the extent that this conflict and animosity has involved PRESTON*, there are real doubt as to whether continued contact by the paternal relatives serves PRESTON's best interest.

This is not to suggest that the paternal family bears sole responsibility for the animosity and its impact on, and involvement of PRESTON in that animosity and conflict. ALYSA bears much of the responsibility. But the issue is the right of the paternal family to visit and if that visitation is denied in the best interest of the child, Ms. COLT and STACEY must bear the loss. ALYSA's loss is the positive support that the paternal family *could* provide her and her son. And the animosity and conflict while high would not necessarily result in a denial of the Petitioner and Intervenor's claim for visitation had it not so clearly involved PRESTON. PRESTON has been confronted by the conflict and impacted by it. When a child is forced to consistently and constantly disclose perpetrators of acts, the best interest of the child is not served. When the child is constantly exposed to the animosity of the main persons in his life, his best interest is not served.

The Court recognizes that there are many ways that PRESTON's best interest is served by maintenance of contact with Ms. COLT and STACEY. First, he loves them. Second, he benefits from working through his struggle about the loss of his father. Third, there are likely financial and support benefits. ALYSA, as a young mother with financial, alcohol, and mental health issues periodically, could certainly benefit from the support of the paternal family for PRESTON during difficult times. But to date, all of those positive benefits have proved not to justify continued involvement with PRESTON. It is absolutely believed that if this course of behavior continues PRESTON will suffer emotionally to a much greater extent. There is no reason, for example, why his counseling focuses on the blame for perceived injuries. There is no reason for 37 unsubstantiated reports to CPS. There is no reason why this child is continually questioned about who caused his scratches and skin conditions.

The Court regrets that the paternal family and ALYSA cannot come together in a cooperative effort to support ALYSA and PRESTON. ALYSA does fail to recognize that such a positive relationship would benefit PRESTON and Ms. COLT and STACEY fail to understand the concept of supporting ALYSA in her relationship with PRESTON. Each side may feel justified in its position but the fact remains that this toxic battle cannot benefit PRESTON and cannot continue. Six (6) years of this war is enough. The Petition of Ms. COLT and STACEY for Court-ordered visitation is DENIED.⁷

⁷ The Court's decision is compelled. The Petitioner and Intervenor have not demonstrated by clear and convincing evidence that the child's best interest is served by the continuing of visitation with Ms. COLT and STACEY. This does not mean that there cannot be visitation but it does mean that ALYSA and the paternal family will have to find ways to resolve their differences. The Court suggests that counseling through existing counseling in place for PRESTON may be a place to start but that is up to the litigants. It is up to ALYSA to understand that PRESTON will suffer from losing contact with people he loves and that he will benefit from

Finally, a review of the file discloses several issues remaining to be decided by the Court. There is an outstanding contempt issue relative to Ms. COLT. There are requests for attorney's fees. The Court specifically DENIES any and all other outstanding requests.

THIS DECISION and ORDER shall constitute the Findings of Fact, Conclusions of Law and final Order in this matter.

DATED this 18th day of February, 2021.

A handwritten signature in black ink, appearing to read "G. W. Hardcastle", written over a horizontal line.

HON. GERALD W. HARDCASTLE
SENIOR DISTRICT COURT JUDGE

continued contact that is respectful and healthy for everyone. Ms. COLT and STACEY need to understand that they need to find ways to be encouraging and supportive of PRESTON's relationship with his mother. And all need to understand that PRESTON has enough struggles in his young life without the burdens of seeing the conflict and animosity that those involved here impose on him.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint

COURT MINUTES

December 13, 2017

D-17-560076-C Mary-Anne Colt, Stacey Kanter, Mary-Anne Colt, Plaintiff.
vs.
Alysa Marie Plummer, Defendant.

December 13, 2017 1:30 PM Motion

HEARD BY: Moss, Cheryl B.

COURTROOM: Courtroom 13

COURT CLERK: Erica Jimenez

PARTIES:

Alysa Plummer, Defendant, Counter Claimant, present	Carrie Hurtik, Attorney, not present
Mary- Anne Colt, Plaintiff, Counter Defendant, present	Pro Se
Mary-Anne Colt, Plaintiff, not present	Pro Se
Preston Colt, Subject Minor, not present	
Robert Cerceo, Guardian Ad Litem, not present	
Stacey Kanter, Plaintiff, not present	Pro Se

JOURNAL ENTRIES

- MOTION FOR TEMPORARY CHILD CUSTODY

Parties sworn and testified.

Discussion by Counsel and Defendant/Mother regarding proceeding with custody or visitation rights for Paternal Grandmother. Defendant/Mother stated she would like to move to the State of Washington. Upon Court's inquiry, Defendant/Mother stated she is willing to stay in Nevada until the case is resolved.

COURT NOTES, father's death certificate indicates he passed away from a drug overdose of cocaine and heroin.

PRINT DATE:	03/19/2021	Page 1 of 51	Minutes Date:	December 13, 2017
-------------	------------	--------------	---------------	-------------------

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

COURT ORDERED the following:

1. TEMPORARILY, Defendant/Mother shall retain SOLE LEGAL and SOLE PHYSICAL CUSTODY.
2. The child shall remain in NEVADA until the case is resolved.
3. TEMPORARILY and WITHOUT PREJUDICE, Plaintiff/Paternal Grandmother shall have VISITATION with the child commencing on 12/15/17 from Friday at 5:30 p.m. until Sunday at 5:30 p.m. and alternate weekends. Parties shall exchange the child at the front gate of the Family Court House. Parties shall have a thirty (30) minute window to exchange the child.
4. Parties shall enroll in TALKINGPARENTS.COM and communicate regarding child related issues only.
5. Father, Sean Paul Michael's DEATH CERTIFICATE is LEFT-SIDE FILED.
6. Parties are ISSUED a BEHAVIOR ORDER. Order FILED IN OPEN COURT.
7. Parties are REFERRED to the Family Mediation Center (FMC) for Mediation with Domestic Violence Protocol and a one hour observation between the child and Defendant/Mother and another observation between the child and Plaintiff/Paternal Grandmother. Defendant/Mother's FEES are WAIVED. Plaintiff/Paternal Grandmother shall pay no more than \$50.00. Order for Family Mediation Services FILED IN OPEN COURT. A Return Hearing is SET for 3/21/18 at 10:00 a.m.
8. The Court shall request CPS RECORDS. Order FILED IN OPEN COURT.
9. PHONE CALLS and VIDEO CALLS shall be left up to Paternal Grandmother and Mother to discuss. The Court will follow up on whether Paternal Grandmother received any calls.
9. Calendar Call is set for 7/25/18 at 9:30 a.m. Discovery closes at Calendar Call. Pre-Trial Memos along with the final List of Witnesses and Exhibits are due on or before Calendar Call.
10. Evidentiary Hearing re: Paternal Grandmother's Motion (Stack #1) is SET for 8/23/18 at 9:30 a.m.
11. Case Management Order SIGNED and FILED IN OPEN COURT. Copies were provided to the parties IN OPEN COURT.
12. DIRECT CONTEMPT OF COURT and other sanctions against the Defendant/Mother are STAYED. Attorney Grigsby shall prepare an Order for Direct Contempt and bring it to the next hearing.

PRINT DATE:	03/19/2021	Page 2 of 51	Minutes Date:	December 13, 2017
-------------	------------	--------------	---------------	-------------------

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

13. PURGE CLAUSE issued to Plaintiff/Mother to comply and follow the Court's orders or be held in Contempt of Court.

14. Defendant/Mother's Order to Proceed In Forma Pauperis for filing fee only was SIGNED IN OPEN COURT and returned to her for filing along with her Answer and Counterclaim and her Financial Disclosure Form (FDF).

Attorney Grigsby shall prepare the Order from today's hearing.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	03/19/2021	Page 3 of 51	Minutes Date:	December 13, 2017
-------------	------------	--------------	---------------	-------------------

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint**COURT MINUTES**

March 21, 2018

D-17-560076-C Mary-Anne Colt, Stacey Kanter, Mary-Anne Colt, Plaintiff.
vs.
Alysa Marie Plummer, Defendant.

March 21, 2018 10:00 AM Return Hearing

HEARD BY: Moss, Cheryl B.**COURTROOM:** Courtroom 13**COURT CLERK:** Erica Jimenez**PARTIES:**

Alysa Plummer, Defendant, Counter Claimant, present	Carrie Hurtik, Attorney, not present
Mary- Anne Colt, Plaintiff, Counter Defendant, present	Pro Se
Mary-Anne Colt, Plaintiff, not present	Pro Se
Preston Colt, Subject Minor, not present	
Robert Cerceo, Guardian Ad Litem, not present	
Stacey Kanter, Plaintiff, not present	Pro Se

JOURNAL ENTRIES

- RETURN HEARING: FMC MEDIATION AND A ONE HOUR OBSERVATION

Defendant/Mother sworn and testified. Plaintiff/Paternal Grandmother not present.

Defendant/Mother stated Paternal Grandmother made a referral to CPS against her. Defendant/Mother further stated she will attempt to retain counsel from the Legal Aid Center of Southern Nevada. Attorney Grigsby represented Defendant/Mother previously stated she was not going to participate with the visits; however, Defendant/Mother has been exercising her visits as ordered by the Court.

COURT NOTES, the Parties did not reach an agreement at Mediation.

PRINT DATE:	03/19/2021	Page 4 of 51	Minutes Date:	December 13, 2017
-------------	------------	--------------	---------------	-------------------

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

COURT ORDERED the following:

1. A blank Pre-Trial Memo was given to the Defendant/Mother.
2. Behavior Order STANDS.
3. Both parties shall return the child with the shoes and clothes he was dropped off with and the clothes shall be clean.
4. The Court shall order UPDATED CPS RECORDS. Order SIGNED and FILED IN OPEN COURT.
5. The Order for Defendant/Mother being in Contempt of Court was SIGNED and FILED IN OPEN COURT and Defendant/Mother was served in open court.
6. Calendar Call set for 7/25/18 at 9:30 a.m. STANDS.
7. Evidentiary Hearing is set for 8/23/18 at 9:30 a.m. STANDS.
8. Court encouraged the Defendant/Mother to keep a diary journal on a calendar regarding the visits with the child.
9. Parties may submit a Stipulation and Order to change Defendant/Mother's visitation schedule.

No order is necessary from today's hearing.

Paternal Grandmother appeared.

Discussion regarding the visitation schedule.

COURT FURTHER ORDERED the following:

10. Visitation shall remain STATUS QUO.
11. Parties may change the custodial schedule, week to week, on TALKINGPARENTS.COM. One party shall send the other party a text and the other party shall respond.

INTERIM CONDITIONS:

FUTURE HEARINGS: Mar 21, 2018 10:00AM Return Hearing
FMC: Mediation and a one hour observation

PRINT DATE:	03/19/2021	Page 5 of 51	Minutes Date:	December 13, 2017
-------------	------------	--------------	---------------	-------------------

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

Courtroom 13 Moss, Cheryl B.

Jul 25, 2018 9:30AM Calendar Call
Courtroom 13 Moss, Cheryl B.

PRINT DATE:	03/19/2021	Page 6 of 51	Minutes Date:	December 13, 2017
-------------	------------	--------------	---------------	-------------------

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint**COURT MINUTES**

July 25, 2018

D-17-560076-C Mary-Anne Colt, Stacey Kanter, Mary-Anne Colt, Plaintiff.
vs.
Alysa Marie Plummer, Defendant.

July 25, 2018 9:30 AM All Pending Motions

HEARD BY: Moss, Cheryl B.**COURTROOM:** Courtroom 13**COURT CLERK:** Erica Jimenez**PARTIES:**

Alysa Plummer, Defendant, Counter Claimant, present	Carrie Hurtik, Attorney, not present
Mary-Anne Colt, Plaintiff, Counter Defendant, present	Pro Se
Mary-Anne Colt, Plaintiff, not present	Pro Se
Preston Colt, Subject Minor, not present	
Robert Cerceo, Guardian Ad Litem, not present	
Stacey Kanter, Plaintiff, not present	Pro Se

JOURNAL ENTRIES

- CALENDAR CALL...ATTORNEY GRIGSBY'S MOTION TO WITHDRAW

Parties sworn and testified.

COURT NOTES, Mother was hospitalized on 6/3/18 and placed on a Legal 2000 hold, the petition was dismissed on 6/8/18 under case M-12-140769-M.

Mother stated she her roommate called the ambulance and she woke up at the hospital unaware how she got to the hospital. Mother further stated she took five (5) Tylenol PM to sleep.

Both parties requested a continuance of the trial set for 8/23/18.

PRINT DATE:	03/19/2021	Page 7 of 51	Minutes Date:	December 13, 2017
-------------	------------	--------------	---------------	-------------------

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

COURT FURTHER NOTES, Paternal Grandmother and Mother are working together.

COURT ORDERED the following:

1. Attorney Grigsby's Motion to Withdraw is GRANTED. Attorney Grigsby may submit an Order to Withdraw.
2. Mother's CHANGE OF ADDRESS was FILED IN OPEN COURT.
3. EXCHANGES shall occur at the Main Entrance of Red Rock Casino near Lucille's BBQ or per mutual agreement through TalkingParents.
4. HOLIDAYS shall be per mutual agreement or parties may file a motion.
5. Discovery closes on 1/18/19. Pre-Trial Memos along with the final List of Witnesses and Exhibits are due on or before the close of Discovery. A blank copy of the Pre-Trial Memos were provided to the parties.
6. Evidentiary Hearing (Stack #1) set for 8/23/18 at 9:30 a.m. is VACATED and SET for 2/19/19 at 1:30 p.m.
7. Amended Case Management Order SIGNED and FILED IN OPEN COURT.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	03/19/2021	Page 8 of 51	Minutes Date:	December 13, 2017
-------------	------------	--------------	---------------	-------------------

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint**COURT MINUTES**

October 08, 2018

D-17-560076-C Mary-Anne Colt, Stacey Kanter, Mary-Anne Colt, Plaintiff.
vs.
Alysa Marie Plummer, Defendant.

October 08, 2018 9:00 AM All Pending Motions

HEARD BY: Moss, Cheryl B.**COURTROOM:** Courtroom 13**COURT CLERK:** Erica Jimenez**PARTIES:**

Alyssa Plummer, Defendant, Counter Claimant, present	Pro Se
Mary-Anne Colt, Plaintiff, Counter Defendant, present	Pro Se
Mary-Anne Colt, Plaintiff, not present	Pro Se
Preston Colt, Subject Minor, not present	
Robert Cerceo, Guardian Ad Litem, not present	
Stacey Kanter, Plaintiff, not present	Pro Se

JOURNAL ENTRIES

- PLAINTIFF'S EMERGENCY MOTION FOR MODIFICATION OF TEMPORARY ORDERS OF CUSTODY AND VISITATION,

Attorney Mark Anderson, Bar #606, present for Attorney Kurt Smith on behalf of Plaintiff/Paternal Grandmother.

The Department of Family Services (DFS) represented by Tyonte Daniel.

DFS is accessing for impending danger, they have not found present danger to remove the child from Mother's care. Attorney Anderson represented Metro is investigating and there is an open case. Attorney Anderson alleged the child has cigarette burn marks and his toes were smashed with rocks

PRINT DATE:	03/19/2021	Page 9 of 51	Minutes Date:	December 13, 2017
-------------	------------	--------------	---------------	-------------------

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

by Mother. Attorney Anderson further represented Mother was hospitalized on August 10, 2018. Mother stated she was hospitalized for broken ribs and she was not Legal 2000. Mother stated she will not cooperate with Orders from the Court and she will not disclose the child's location or the name of the school. Upon Court's inquiry, Mother stated she took a drug test for urine on 10/5/18.

COURT NOTES, the Abuse/Neglect Specialist from Metro is Cheryl Kegley.

COURT STATED IT'S FINDINGS AND ORDERED the following:

1. CUSTODY shall remain STATUS QUO, Mother shall have custody and Paternal Grandmother shall continue to have visitation every other weekend. Paternal Grandmother shall start visitation the weekend of 10/12/18 and parties shall alternate thereafter.
2. On Friday, 10/12/18, Paternal Grandmother shall pick-up the child after school and return the child at the usual time on Sunday, 10/14/18 at Family Court. Mother shall NOT be present when Paternal Grandmother picks up the child from school. Attorney Anderson may submit a Pick-up Order in the event Mother does not cooperate with the custodial schedule.
3. When there is no school, all exchanges shall occur at Family Court.
4. Paternal Grandmother's three (3) days of COMPENSATORY VISITATION is DEFERRED to trial.
5. Counsel may subpoena Metro.
6. Mother shall sign a HIPAA RELEASE. Medical records shall be sent to Department I's chambers. Counsel may review the records in chambers under CONFIDENTIAL GAG ORDER.
7. CPS records provided to Attorney Anderson under CONFIDENTIAL GAG ORDER.
8. DFS is invited to appear at the next hearing.
9. Both parties are REFERRED to the American Toxicology Institute (ATI) for drug testing to include hair and urine. Mother shall pay for Paternal Grandmother's drug test and Paternal Grandmother shall pay for Mother's drug test. Referral is LEFT-SIDE FILED. A 72 hour hearing may be set pending the drug test results. Both parties and Counsel may contact chambers to obtain the drug test results.
10. The Court shall obtain the drug test results from DFS that Mother took on 10/5/18.
11. Paternal Grandmother may request a Motion for a new hearing based on new evidence from Metro.

PRINT DATE:	03/19/2021	Page 10 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

12. Court shall obtain updated CPS RECORDS upon completion of their case.

13. Mother is in DIRECT CONTEMPT OF COURT based on her admissions in the court room, with the purge clause that Mother may be released upon providing the child's school information. Mother is RELEASED to take the drug test and she shall not be taken into custody.

14. Attorney Anderson shall prepare a Subpoena Order from Clark County School District (CCSD) by 10/12/18 to obtain the child's school information. Attorney Anderson shall file notification with the Court and contact chambers that the child's school has been identified.

15. If Mother or Maternal Grandmother hide the child, Paternal Grandmother shall have the Pick-Up Order in effect and the child shall be reported as a missing person.

16. Documents provided by Mother were LEFT-SIDE FILED.

17. There shall be no return hearing; however, if there is new evidence then Parties may file a request for Motion.

18. Evidentiary Hearing (Stack 1) set for 2/19/19 at 1:30 p.m. STANDS.

Attorney Anderson shall prepare a Subpoena Order and a Pick-Up Order.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	03/19/2021	Page 11 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint**COURT MINUTES**

November 08, 2018

D-17-560076-C

Mary-Anne Colt, Stacey Kanter, Mary-Anne Colt, Plaintiff.

vs.

Alysa Marie Plummer, Defendant.

**November 08,
2018****8:00 AM****Minute Order****HEARD BY:** Moss, Cheryl B.**COURTROOM:** Courtroom 13**COURT CLERK:** Erica Jimenez**PARTIES:**

Alysa Plummer, Defendant, Counter

Carrie Hurtik, Attorney, not present

Claimant, not present

Mary-Anne Colt, Plaintiff, Counter Defendant, Pro Se
not present

Mary-Anne Colt, Plaintiff, not present Pro Se

Preston Colt, Subject Minor, not present

Robert Cerceo, Guardian Ad Litem, not
present

Stacey Kanter, Plaintiff, not present Pro Se

JOURNAL ENTRIES

- MINUTE ORDER

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

This Court has read and considered the current underlying pleadings in this matter. The Defendant/Mom, has failed to comply with EDCR 5.206 by failing to file proof of service for the

PRINT DATE:	03/19/2021	Page 12 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

Motion she filed on October 11, 2018.

Therefore, the Motion hearing scheduled for November 13, 2018 at 9:30am, is taken off calendar for failure to serve.

Defendant/Mom, may re-notice the Motion through the Clerk's Office to put the matter back on calendar but must file proper Proof of Service of both the Re-Notice and the Motion on the other party.

So Ordered.

A copy of this court minute order shall be served on all parties.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	03/19/2021	Page 13 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint**COURT MINUTES**

December 13, 2018

D-17-560076-C Mary-Anne Colt, Stacey Kanter, Mary-Anne Colt, Plaintiff.
vs.
Alysa Marie Plummer, Defendant.

December 13, 2018 1:30 PM**All Pending Motions****HEARD BY:** Moss, Cheryl B.**COURTROOM:** Courtroom 13**COURT CLERK:** Erica Jimenez**PARTIES:**

Alyssa Plummer, Defendant, Counter Claimant, present	Pro Se
Mary-Anne Colt, Plaintiff, Counter Defendant, present	Pro Se
Mary-Anne Colt, Plaintiff, not present	Pro Se
Preston Colt, Subject Minor, not present	
Robert Cerceo, Guardian Ad Litem, not present	
Stacey Kanter, Plaintiff, not present	Pro Se

JOURNAL ENTRIES

- DEFENDANT'S MOTION AND NOTICE OF MOTION FOR ORDERS TO MODIFY CHILD CUSTODY, VISITATION, AND/OR CHILD SUPPORT...PLAINTIFF'S OPPOSITION TO MOTION TO MODIFY CUSTODY, VISITATION, AND/OR CHILD SUPPORT AND COUNTERMOTION FOR MODIFICATION OF TEMPORARY ORDERS OF CUSTODY AND VISITATION, FOR AN ORDER TO SHOW CAUSE, FOR ATTORNEY'S FEES AND COSTS, AND FOR OTHER RELATED RELIEF

Attorney Rob Schmidt, Bar #14611, appeared as co-counsel with Attorney Carol Barnes on behalf of Paternal Grandmother/Plaintiff. Attorney Rhonda Forsberg, Bar #9557, appeared in an UNBUNDLED CAPACITY on behalf of the Defendant/Mother. Metro Detective, Cheryl Kedley, present from the Child Abuse and Neglect unit.

PRINT DATE:	03/19/2021	Page 14 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

Discussion by the Parties. Court expressed concern the child is making statements that his brain hurts. Upon Court's inquiry, Mother represented the child is enrolled in counseling, every Thursday. Attorney Barnes provided blank HIPAA releases to Attorney Forsberg for Mother to sign. Mother represented she will be moving to Oklahoma.

COURT FINDS the following:

1. Mother is not unfit.
2. There were thirty (30) calls to CPS and only one has been substantiated.

COURT ORDERED the following:

1. Paternal Grandmother's Motion and request for an Order to Show Cause is DENIED without prejudice.
2. Mother shall have SOLE LEGAL and SOLE PHYSICAL CUSTODY.
3. The child's contact with Paternal Grandmother is SUSPENDED with the exception of one (1) supervised visit at Donna's house on 12/26/18 to include Paternal Grandmother and three (3) paternal aunts. Order for Supervised Visitation SIGNED and FILED IN OPEN COURT.
4. The child shall be enrolled in weekly COUNSELING.
5. ATTORNEY'S FEES DEFERRED.
6. Evidentiary Hearing (Stack 1) SET for 2/19/19 at 1:30 p.m. STANDS unless counsel stipulate to contact Department I's JEA and set the Evidentiary Hearing for March 2019.

Attorney Forsberg shall prepare the Order from today's hearing.

CLERK'S NOTE: Attorney Forsberg is not available on Tuesdays. (EC)

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	03/19/2021	Page 15 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint

COURT MINUTES

January 11, 2019

D-17-560076-C Mary-Anne Colt, Stacey Kanter, Mary-Anne Colt, Plaintiff.
vs.
Alysa Marie Plummer, Defendant.

January 11, 2019 10:45 AM Motion

HEARD BY: Moss, Cheryl B.

COURTROOM: Courtroom 13

COURT CLERK: Erica Jimenez

PARTIES:

Alyssa Plummer, Defendant, Counter Claimant, present	Pro Se
Mary-Anne Colt, Plaintiff, Counter Defendant, not present	Pro Se
Mary-Anne Colt, Plaintiff, not present	Pro Se
Preston Colt, Subject Minor, not present	
Robert Cerceo, Guardian Ad Litem, not present	
Stacey Kanter, Plaintiff, not present	Pro Se

JOURNAL ENTRIES

- PLAINTIFF'S MOTION TO CONTINUE TRIAL

Attorney Rob Schmidt, Bar #14611, appeared as co-counsel with Attorney Carol Barnes on behalf of Paternal Grandmother/Plaintiff.

Attorney Barnes represented Plaintiff/Paternal Grandmother could not be present as she has the flu. Discussion by the parties. Mother represented she would like to move to Oklahoma to care for her grandmother.

COURT ORDERED the following:

PRINT DATE:	03/19/2021	Page 16 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

1. Mother shall file an Opposition to the Motion to Intervene within ten (10) business days and Counsel shall file a Reply within five (5) days from today's date, 1/11/19.
2. Mother shall file a Motion to Relocate which shall be heard on 2/19/19 at 1:30 p.m.
3. Mother shall file a Motion with the Discovery Commissioner requesting ATTORNEY'S FEES and to stop Opposing Counsel from obtaining her medical information.
4. Mother shall e-mail Attorney Barnes a blank HIPAA RELEASE for Paternal Grandmother to sign.
5. Parties are REFERRED to the Family Mediation Center (FMC) for a child interview and child observation with Paternal Aunt, Stacey Kanter, on 1/29/19 at 4:00 p.m. Order for Family Mediation Services SIGNED and FILED IN OPEN COURT. A Return Hearing is set for 2/19/19 at 1:30 p.m. Mother shall drop off the child at 3:50 p.m. and Stacey Kanter shall not appear to FMC earlier than 4:00 p.m. If Mother does not take the child to FMC, Stacey Kanter, may submit a pick-up Order for purposes of taking the child to FMC and release the child back to Mother once the observation and interview are completed.
6. Paternal Aunt Stacey Kanter's Motion to Intervene set for 2/19/19 at 9:00 a.m. is VACATED and RESET to 2/19/19 at 1:30 p.m.
7. The Evidentiary Hearing set for 2/19/19 at 1:30 p.m. is VACATED to be reset by Department I's Judicial Executive Assistant (JEA) between 4/15/19 and 6/30/19.
8. Discovery is EXTENDED for ninety (90) days from today's date, 1/11/19.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	03/19/2021	Page 17 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint**COURT MINUTES**

February 19, 2019

D-17-560076-C Mary-Anne Colt, Stacey Kanter, Mary-Anne Colt, Plaintiff.
vs.
Alysa Marie Plummer, Defendant.

February 19, 2019 1:30 PM All Pending Motions

HEARD BY: Moss, Cheryl B.**COURTROOM:** Courtroom 13**COURT CLERK:** Erica Jimenez**PARTIES:**

Alyssa Plummer, Defendant, Counter Claimant, present	Pro Se
Mary-Anne Colt, Plaintiff, Counter Defendant, present	Pro Se
Mary-Anne Colt, Plaintiff, not present	Pro Se
Preston Colt, Subject Minor, not present	
Robert Cerceo, Guardian Ad Litem, not present	
Stacey Kanter, Plaintiff, not present	Pro Se

JOURNAL ENTRIES

- RETURN HEARING: FMC CHILD INTERVIEW AND OBSERVATION...PLAINTIFF'S MOTION TO INTERVENE AND FOR EXPERT WITNESS TO TESTIFY VIA VIDEO CONFERENCE AND FOR RELATED RELIEF...DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION TO INTERVENE AND FOR EXPERT WITNESS TO TESTIFY VIA VIDEO CONFERENCE AND FOR RELATED RELIEF...PLAINTIFF'S REPLY TO DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION TO INTERVENE AND FOR EXPERT WITNESS TO TESTIFY VIA VIDEO CONFERENCE AND FOR RELATED RELIEF

Attorney Rob Schmidt, Bar #14611, present as co-counsel with Attorney Carol Barnes for Plaintiff/Paternal Grandmother and Paternal Aunt, Stacey Kanter. Attorney Linda Lay, Bar #12990, present on behalf of the Defendant/Mother in an UNBUNDLED PRO BONO capacity.

PRINT DATE:	03/19/2021	Page 18 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

Discussion by the Parties regarding Paternal Aunt's motion to Intervene and Dr. Grossman's video testimony.

Court reviewed the child interview.

COURT STATED IT'S FINDINGS and ORDERED the following:

1. Paternal Aunt, Stacey Kanter's Motion to Intervene is GRANTED.
2. Paternal Grandmother can visit the child while Paternal Aunt, Stacey Kanter, is present.
3. TEMPORARILY, effective 2/22/19, the child shall VISIT with Stacey Kanter on Fridays with pick-up after school at Twin Lakes Elementary School until Sundays at 9:55 a.m. with drop off at Abundant Grace Church on Rancho and Decatur. If there is a school holiday on Friday, parties shall exchange the child at 4:00 p.m. in front of Family Court. Ms. Kanter shall transport the child. There shall be no lingering. Parties can video record each other in person. Mother can take pictures before she drops off the child. Beginning 3/29/19, Mother shall have the last Friday of the month for the weekend.
4. The Court authorizes Stacey Kanter to be the only person to pick-up the child on Fridays, after school, at Twin Lakes Elementary School.
5. Mother and Paternal Aunt shall stay 20 feet away from each other and the child shall walk to his Mother.
6. Plaintiff's expert can appear via VIDEO CONFERENCE for trial.
7. Mother may file a Relocation motion with enough time to allow Petitioners to file a ten (10) day Opposition.
8. Discovery closes on 9/4/18. Pre-Trial Memos along with the final List of Witnesses and Exhibits are due on or before the close of Discovery.
9. Evidentiary Hearing (Stack #1) re: custody/visitation is SET for 7/10/19 at 9:00 a.m. (half day) and 7/11/19 at 9:00 a.m. (full day). Department I's Judicial Executive Assistant (JEA) shall work on providing the parties with the half day in the afternoon of 7/10/19.
10. Case Management Order SIGNED and FILED IN OPEN COURT.

Attorney Barnes shall prepare the Order for today's hearing; Attorney Lay shall review and countersign.

PRINT DATE:	03/19/2021	Page 19 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

INTERIM CONDITIONS:

FUTURE HEARINGS: Jul 10, 2019 9:00AM Evidentiary Hearing
Evidentiary Hearing (Stack 1/HALF DAY) - Day1 re: custody/visitation
Courtroom 13 Moss, Cheryl B.

Jul 11, 2019 9:00AM Evidentiary Hearing
Evidentiary Hearing (Stack 1/FULL DAY) re: custody/visitation
Courtroom 13 Moss, Cheryl B.

PRINT DATE:	03/19/2021	Page 20 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint**COURT MINUTES**

April 12, 2019

D-17-560076-C Mary-Anne Colt, Stacey Kanter, Mary-Anne Colt, Plaintiff.
vs.
Alysa Marie Plummer, Defendant.

April 12, 2019 9:00 AM Minute Order

HEARD BY: Moss, Cheryl B.**COURTROOM:** Courtroom 13**COURT CLERK:** Michelle Cunningham;**PARTIES:**

Alysa Plummer, Defendant, Counter Claimant, not present	Carrie Hurtik, Attorney, not present
Mary-Anne Colt, Plaintiff, Counter Defendant, not present	Pro Se
Mary-Anne Colt, Plaintiff, not present	Pro Se
Preston Colt, Subject Minor, not present	
Robert Cerceo, Guardian Ad Litem, not present	
Stacey Kanter, Plaintiff, not present	Pro Se

JOURNAL ENTRIES

- COURT MINUTE ORDER

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 2.23, this Court can grant the requested relief if there is no opposition timely filed. EDCR 2.20(e) provides in relevant part that failure of the opposing party to serve and file written opposition may be construed as an admission that the motion is meritorious and consent to granting the same.

On March 14, 2019, Plaintiff/Paternal Grandmother Mary-Anne Colt s Attorney Carol Barnes filed a Notice of Motion and Motion and Notice of Motion to Withdraw as Attorney of Record. On March 14, 2019, Attorney Barnes filed a Certificate of Mailing.

The Court finds there is proper proof of service to Plaintiff/Paternal Grandmother s last known address of record. Plaintiff/Paternal Grandmother did not timely file an Opposition.

PRINT DATE:	03/19/2021	Page 21 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

There being no opposition filed thereto, IT IS HEREBY ORDERED that Attorney Barnes Motion to Withdraw as Attorney of Record is granted.

IT IS FURTHER ORDERED that the hearing for Attorney Barnes Motion and Notice of Motion to Withdraw as Attorney of Record set for April 17, 2019 at 2:30 a.m. is hereby Vacated.

IT IS FURTHER ORDERED that Attorney Barnes shall prepare the Order conforming to this court minute order and serve all parties and Counsel via Notice of Entry of Order.

A copy of this court minute order shall be served on both parties and Counsel.

INTERIM CONDITIONS:

FUTURE HEARINGS: Jul 10, 2019 9:00AM Evidentiary Hearing
Evidentiary Hearing (Stack 1/HALF DAY) - Day1 re: custody/visitation
Courtroom 13 Moss, Cheryl B.

Jul 11, 2019 9:00AM Evidentiary Hearing
Evidentiary Hearing (Stack 1/FULL DAY) re: custody/visitation
Courtroom 13 Moss, Cheryl B.

PRINT DATE:	03/19/2021	Page 22 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint**COURT MINUTES**

July 10, 2019

D-17-560076-C Mary-Anne Colt, Stacey Kanter, Mary-Anne Colt, Plaintiff.
vs.
Alysa Marie Plummer, Defendant.

July 10, 2019 9:00 AM Evidentiary Hearing

HEARD BY: Moss, Cheryl B.**COURTROOM:** Courtroom 13**COURT CLERK:** Erica Jimenez**PARTIES:**

Alyssa Plummer, Defendant, Counter Claimant, present	Carrie Hurtik, Attorney, present
Mary-Anne Colt, Plaintiff, Counter Defendant, present	Pro Se
Mary-Anne Colt, Plaintiff, not present	Pro Se
Preston Colt, Subject Minor, not present	
Robert Cerceo, Guardian Ad Litem, not present	
Stacey Kanter, Plaintiff, not present	Pro Se

JOURNAL ENTRIES

- EVIDENTIARY HEARING (DAY 1)

Attorney Carol Barnes, Bar #7985, appeared on behalf of the Intervenor/Paternal Aunt, Stacey Kanter, and Plaintiff/Paternal Grandmother, in an UNBUNDLED CAPACITY. Attorney Barnes' associate, Andrew Seprazik, Bar #15093 and Ms. Barnes' paralegal also present. Attorney Linda Lay, Bar #12990, present with Co-Counsel, Carrie Hurtik.

Exclusionary Rule Invoked.

Parties WAIVE opening statements.

PRINT DATE:	03/19/2021	Page 23 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

Testimony and Exhibits presented.

Aaron McCook's DEPOSITION, PUBLISHED and FILED IN OPEN COURT per STIPULATION.

CPS RECORDS admitted as COURT'S CONFIDENTIAL EXHIBIT 1 per STIPULATION.

Parties STIPULATE to admit Plaintiff's Exhibit 3 - 113, 129 - 220, 242 - 252, 259 - 267, 276, 293 - 296.

Parties STIPULATE to admit Defendant's Exhibit A - H.

COURT ORDERED the following:

1. MATTER CONTINUED to Day 2 of the Evidentiary Hearing set for 7/11/19 at 9:00 a.m.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	03/19/2021	Page 24 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint**COURT MINUTES**

July 11, 2019

D-17-560076-C Mary-Anne Colt, Stacey Kanter, Mary-Anne Colt, Plaintiff.
vs.
Alysa Marie Plummer, Defendant.

July 11, 2019 9:00 AM Evidentiary Hearing

HEARD BY: Moss, Cheryl B.**COURTROOM:** Courtroom 13**COURT CLERK:** Erica Jimenez**PARTIES:**

Alysa Plummer, Defendant, Counter	Carrie Hurtik, Attorney, present
Claimant, present	
Mary-Anne Colt, Plaintiff, Counter Defendant,	Pro Se
present	
Mary-Anne Colt, Plaintiff, not present	Pro Se
Preston Colt, Subject Minor, not present	
Robert Cerceo, Guardian Ad Litem, not	
present	
Stacey Kanter, Plaintiff, not present	Pro Se

JOURNAL ENTRIES

- EVIDENTIARY HEARING (DAY 2)

Attorney Carol Barnes, Bar #7985, appeared on behalf of Paternal Aunt, Stacey Kanter, and Paternal Grandmother, in an UNBUNDLED CAPACITY. Attorney Barnes' associate, Andrew Seprazik, Bar #15093 and Ms. Barnes' paralegal also present. Attorney Linda Lay, Bar #12990, present with Co-Counsel, Carrie Hurtik on Mother's behalf.

Testimony and Exhibits presented.

Paternal Grandmother was removed from the Courtroom for her behavior. The Court will give Paternal Grandmother an opportunity to explain her behavior as to why the Court should not hold

PRINT DATE:	03/19/2021	Page 25 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

her in Contempt.

COURT ORDERED the following:

1. TEMPORARILY, every other weekend, Paternal Aunt, Stacey Kanter, shall have VISITATION with the child on Fridays after school or if there is no school at 11:30 a.m. with exchanges at Mother's church until Monday morning drop off at school or if there is no school, the exchange shall occur at 9:30 a.m. at the Rebel Gas Station on Rainbow and Charleston. Demara and Statcey are authorized drivers. Paternal Aunt shall have the child beginning the weekend of 7/12/19. Stacey is approved to have VISITATION with the child and his half sibling, Ethan, from Thursday at 11:30 a.m. until Monday. Stacey shall provide as much notice to Mother as possible, parties may have to switch weekends.
2. Paternal Grandmother is REFERRED to the American Toxicology Institute (ATI) for a drug test to include hair and urine. Mother shall bear the cost. Referral is LEFT-SIDE FILED.
3. Therapist, Krystal Whipple, shall provide the court with updated records from June 2019 to date.
4. MATTER CONTINUED to Day 3 of the Evidentiary Hearing. Department I's Judicial Executive Assistant (JEA) shall confirm 8/21/19 at 9:00 a.m. if Krystal Whipple is available. Detective Cheryl Kegley may appear via video.

Attorney Lay shall prepare the Order from today's hearing.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	03/19/2021	Page 26 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint**COURT MINUTES**

January 28, 2020

D-17-560076-C Mary-Anne Colt, Stacey Kanter, Mary-Anne Colt, Plaintiff.
vs.
Alysa Marie Plummer, Defendant.

January 28, 2020 1:30 PM All Pending Motions

HEARD BY: Moss, Cheryl B.**COURTROOM:** Courtroom 13**COURT CLERK:** Erica Jimenez**PARTIES:**

Alysa Plummer, Defendant, Counter Claimant, present	Carrie Hurtik, Attorney, present
Mary-Anne Colt, Plaintiff, Counter Defendant, present	Pro Se
Mary-Anne Colt, Plaintiff, not present	Pro Se
Preston Colt, Subject Minor, not present	
Robert Cerceo, Guardian Ad Litem, not present	
Stacey Kanter, Plaintiff, not present	Pro Se

JOURNAL ENTRIES

- EVIDENTIARY HEARING (DAY 3)...PLAINTIFF'S NOTICE OF MOTION TO STRIKE THE TESTIMONY OF DEFENDANT'S WITNESSES, CHERYL KEGLEY AND KRYSTAL WHIPPLE; REQUEST FOR BRIEF FOCUSED ASSESSMENT AND ACCESS TO UPDATED CPS RECORDS

Attorney Carol Barnes, Bar #7985, present with co-counsel, Andrew Seprazik, Bar #15093 on behalf of the Plaintiff/Paternal Aunt, Stacey Kanter. Plaintiff/Paternal Grandmother, present in Pro Per Person. Attorney Linda Lay, Bar #12990, present with Co-Counsel, Carrie Hurtik on behalf of the Defendant/Mother.

Parties sworn and testified.

PRINT DATE:	03/19/2021	Page 27 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

Testimony and exhibits presented.

COURT ORDERED the following:

1. Plaintiff's Motion to strike Detective Cheryl Kegley's testimony is DENIED.
2. There is a STANDING ORDER for the trial to remain as a CLOSED HEARING until the conclusion of trial.
3. Therapist, Krystal Whipple, shall provide the Court with updated records from June 2019 to present.
4. Defendant shall subpoena Detective Cheryl Kegley to the next Court hearing.
5. Parties STIPULATE to Dr. Stephanie Holland as a COURT APPOINTED NEUTRAL EVALUATOR to prepare a CUSTODY EVALUATION. Plaintiff, Stacey Kanter, shall bear the cost without prejudice. Either party may hire a rebuttal expert. There shall be no ex parte contact with Dr. Holland, both parties shall carbon copy the other party in any communication. Court pleadings, court minutes, court videos, CPS records, and photos, the child's school records, the child's medical records, police reports, may be provided to Dr. Holland. Each party may have two (2) collateral witnesses.
6. The child can visit with his half brother, Ethan, from Texas this weekend (1/31/20 - 2/3/20) at Stacey's house. Mother shall receive a selfie once in the morning and once in the afternoon through Talking Parents. Mother shall have the following weekend and parties shall alternate. On Friday, 1/31/20, Stacey can pick-up the child from school and drop him off at school on Monday morning, 2/3/20.
7. At the next hearing, Stacey shall present photographs of the visit with the child and his brother to the Court.
8. Day 4 of Trial is set for 2/14/20 at 8:30 a.m.
9. Day 5 of Trial is set for 2/27/20 at 2:00 p.m.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	03/19/2021	Page 28 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint**COURT MINUTES**

February 14, 2020

D-17-560076-C Mary-Anne Colt, Stacey Kanter, Mary-Anne Colt, Plaintiff.
vs.
Alysa Marie Plummer, Defendant.

February 14, 2020 9:00 AM Evidentiary Hearing

HEARD BY: Moss, Cheryl B.**COURTROOM:****COURT CLERK:** Antoria Pickens**PARTIES:**

Alysa Plummer, Defendant, Counter Claimant, present	Carrie Hurtik, Attorney, present
Mary-Anne Colt, Plaintiff, Counter Defendant, present	Pro Se
Mary-Anne Colt, Plaintiff, not present	Pro Se
Preston Colt, Subject Minor, not present	
Robert Cerceo, Guardian Ad Litem, not present	
Stacey Kanter, Plaintiff, not present	Pro Se

JOURNAL ENTRIES

- EVIDENTIARY HEARING (DAY 3)...PLAINTIFF'S NOTICE OF MOTION TO STRIKE THE TESTIMONY OF DEFENDANT'S WITNESSES, CHERYL KEGLEY, AND KRYSTAL WHIPPLE; REQUEST FOR BRIEF FOCUSED ASSESSMENT AND ACCESS TO UPDATED CPS RECORDS.

Attorney Carol Barnes, Bar #7985, present with co-counsel, Andrew Seprazik, Bar #15093 on behalf of the Plaintiff/Paternal Aunt, Stacey Kanter. Plaintiff/Paternal Grandmother, present in Pro Per Person. Attorney Linda Lay, Bar #12990, present with Co- Counsel, Carrie Hurtik, on behalf of the Defendant/Mother.

Prior to the start of the Trial, the Court and Counsel engaged in a discussion regarding the Defendant's objection to the Plaintiff's decision to cross-examine Ms. Whipple before cross-examining

PRINT DATE:	03/19/2021	Page 29 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

Detective Kegley and Attorney Barnes's request to withdraw as Counsel of record.

Court noted the Plaintiff's cross-examine would begin with Detective Kegley. Court further noted there was no objection to Attorney Barnes's request to withdraw.

The Court and Counsel engaged in further discussion regarding the screw that was located in the Plaintiff's sofa coming in as evidence.

Parties SWORN and TESTIFIED.

Testimony and exhibits presented.

MATTER TRAILED for a five-minute break.
MATTER RECALLED.

Testimony resumed with the Plaintiff's cross-examination of Ms. Whipple.

Court noted Pro Se Litigant Mary- Anne Colt STIPULATED that Attorney Barnes may speak with the Court without her presence during the bench conference with Counsel.

Pro Se Litigant Mary- Anne Colt stated on the record in OPEN COURT, "I stipulate that I will not go in with the bars."

MATTER TRAILED for the Court to conduct a bench conference.
MATTER RECALLED with all parties present.

COURT ORDERED the following:

An Emergency Order shall be issued on this date. Emergency Order EXECUTED and FILED in OPEN COURT with all parties receiving a copy of the Order.

The Trial shall be POSTPONED until the minor child has been stabilized.

An Evidentiary Hearing shall be set for August 5, 2020, at 9:00 AM (Full- Day).

The Evidentiary Hearing set for February 27, 2020, at 2:00 PM, shall be VACATED.

The hearing set for April 8, 2020, at 2:30 AM, regarding Attorney Barnes's Motion to withdraw shall be VACATED.

Attorney Barnes Motion to withdraw as Counsel of record shall be GRANTED.

PRINT DATE:	03/19/2021	Page 30 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

The Pro Se Litigant Mary-Anne's request to proceed with the Trail set for February 27, 2020, at 2:00 PM, shall be DENIED.

Attorney Robert Cerceo, Nevada Bar 5603, shall be appointed as Counsel for the minor child in a Pro Bono capacity. Attorney Cerceo shall coordinate with Ms. Whipple to meet the child and be his voice and attorney.

The Defendant (Mom) shall have Temporary sole legal and physical custody of the minor child.

There shall be no visitation between the Plaintiffs and the child. However, the Plaintiffs may speak with Ms. Whipple to see if she is willing to arrange visitation in her office.

The child shall continue therapy with Hope Counseling. Neither party shall be permitted to change the child's therapist. Ms. Whipple shall remain the child's therapist until otherwise ordered by the Court.

The child shall NOT be told whom he can speak too or whom he cannot speak too.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	03/19/2021	Page 31 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint**COURT MINUTES**

March 24, 2020

D-17-560076-C Mary-Anne Colt, Stacey Kanter, Mary-Anne Colt, Plaintiff.
vs.
Alysa Marie Plummer, Defendant.

March 24, 2020 7:30 AM Minute Order

HEARD BY: Moss, Cheryl B.**COURTROOM:** Courtroom 13**COURT CLERK:** Erica Jimenez**PARTIES:**

Alysa Plummer, Defendant, Counter Claimant, not present	Carrie Hurtik, Attorney, not present
Mary-Anne Colt, Plaintiff, Counter Defendant, not present	Pro Se
Mary-Anne Colt, Plaintiff, not present	Pro Se
Preston Colt, Subject Minor, not present	
Robert Cerceo, Guardian Ad Litem, not present	
Stacey Kanter, Plaintiff, not present	Pro Se

JOURNAL ENTRIES

- COURT MINUTE ORDER

NRCP 1 and EDCR 1.10 state that the procedures in district court shall be administered to secure efficient, just, and inexpensive determinations in every action and proceeding.

EDCR 2.23(c) state that the judge may consider the motion on its merits at any time with or without oral argument, and grant or deny it.

Pursuant to EDCR 5.206, a party filing a motion is required to serve the opposing party with a copy of all papers filed within 3 calendar days of submission for filing.

PRINT DATE:	03/19/2021	Page 32 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

Pursuant to EDCR 5.206 (b), a copy of any papers filed must be served on all other parties to an action within 3 calendar days of submission for filing.

On February 19, 2020 Plaintiff/Paternal Grandmother (PGM) filed a Motion and Notice of Motion to Set Aside Order Judgment and/or Default.

On February 19, 2020 Plaintiff/PGM filed a Certificate of Service showing service to Defendant/Mother s counsel of record by depositing a copy of the Motion in the U.S. Mail in the State of Nevada, postage prepaid on the same date.

The COURT FINDS that Plaintiff/PGM failed to serve Plaintiff/Paternal Aunt (PA) a copy of the motion pursuant to EDCR5.206 (b).

The COURT ORDERS that the hearing set for March 30, 2020 at 9:30AM is TAKEN OFF CALENDAR.

Plaintiff/PGM may re notice the motion through the Clerk's Office to get a new hearing date AFTER all the parties and/or counsel, if parties are represented, have been properly served and the proof of service has been filed.

A copy of this minute order shall be served upon all the parties and counsel.

SO ORDERED.

INTERIM CONDITIONS:

FUTURE HEARINGS: Aug 05, 2020 9:00AM Evidentiary Hearing
Pending the minor child's stabilization.
Courtroom 13 Moss, Cheryl B.

PRINT DATE:	03/19/2021	Page 33 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint**COURT MINUTES**

June 05, 2020

D-17-560076-C

Mary-Anne Colt, Stacey Kanter, Mary-Anne Colt, Plaintiff.

vs.

Alysa Marie Plummer, Defendant.

June 05, 2020**2:00 PM****Minute Order****HEARD BY:** Moss, Cheryl B.**COURTROOM:** Chambers**COURT CLERK:** Kendall Williams**PARTIES:**

Alysa Plummer, Defendant, Counter

Carrie Hurtik, Attorney, not present

Claimant, not present

Mary-Anne Colt, Plaintiff, Counter Defendant, Pro Se

not present

Mary-Anne Colt, Plaintiff, not present Pro Se

Preston Colt, Subject Minor, not present

Robert Cerceo, Guardian Ad Litem, not

present

Stacey Kanter, Plaintiff, not present

Pro Se

JOURNAL ENTRIES

- MINUTE ORDER - NO HEARING HELD AND NO APPEARANCES

NRCP 1 and EDCR 1.10 state that the procedures in district court shall be administered to secure efficient, just, and inexpensive determinations in every action and proceeding.

Pursuant to EDCR 5.206, a party filing a motion is required to serve the opposing party with a copy of all papers filed within 3 calendar days of submission for filing.

Pursuant to EDCR 2.23(c), the judge may consider the motion on its merits at any time with or without oral argument, and grant or deny it.

PRINT DATE:	03/19/2021	Page 34 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

On March 27, 2020 Defendant/Mother represented by Linda Lay, Esq. filed a Motion to Seal all Video Recordings and Papers Related to Trial.

On March 28, 2020 the Court issued a Clerk s Notice of Nonconforming Document because the Motion does not have a hearing designation per Rule 2.20(b).

On March 30, 2020 a Notice of Hearing was issued by the Clerk of Court setting the matter on the Court s in chambers calendar May 06, 2020 at 2:30AM; and electronically served the same to the parties pursuant to NEFCR 9(d).

On April 26, 2020 Defendant filed a Reply to Opposition; an Opposition that at the time of Defendant s filing of the Reply, the Court did not yet have access to.

On April 28, 2020 the Court issued a Clerk s Notice of Nonconforming Document because the Certificate of Service on page 6 of the Reply to Opposition was not signed.

On April 27, 2020 Defendant filed a signed Certificate of Service stating that copies of the Reply to Plaintiff's Opposition were sent to the Plaintiffs and their counsel via US Mail and Electronic service.

On April 30, 2020 Plaintiffs/Paternal Aunt and Paternal Grandmother in proper person electronically filed an Opposition signed and dated April 10, 2020 with a hearing date for June 09, 2020 at 9:00AM.

On April 30, 2020 Plaintiffs filed a Certificate of Service stating that Defendant/Mother was served a copy of the Opposition by mailing a copy of the same to Defendant s counsel Linda Ley % Hurtik Law & Associates office address on April 10, 2020.

Upon review of the pleadings and papers, the COURT FINDS that proper service was effectuated and any procedural defects in filing have been waived and/or corrected by subsequent remedial measures.

Openness and transparency are the cornerstones of an effective, functioning judicial system. Howard vs. State of Nevada 128 Nev., Adv. Op 67 citing Richmond Newspapers, Inc. v. Virginia, 448 U.S. 569, 571-72 (1980).

Although public access is favored, it is not unfettered. Id.

With acute awareness of the presumption favoring public access to judicial records and documents, federal and state courts have decided that a court may exercise its inherent authority to seal those materials only where the public s right to access is outweighed by competing interests. Id citing Minter vs. Wells Fargo Bank, N.A., 258 F.R.D. 118, 120-21 (D. Md. 2009). This presumption may be rebutted if countervailing interests heavily outweigh public interest in access. Id.

PRINT DATE:	03/19/2021	Page 35 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

Thus, a party who seeks to have documents or records filed with this court under seal must file a motion that identifies the information that the party seeks to have sealed, sets forth the reasons that such action is necessary, and specifies the duration of the sealing order. Howard vs. State of Nevada 128 Nev., Adv. Op. 67.

The COURT FINDS that Defendant's motion failed to identify with sufficient specificity the significant interest that overrides the right to public access.

IT IS ORDERED that the motion to seal is DENIED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that the hearing set on June 09, 2020 at 9AM is VACATED.

The next court date in this matter is on AUGUST 05, 2020 at 9AM for the Evidentiary Hearing Day 5.

Pursuant to Administrative Order 20-10 re Paper Elimination in response to the COVID-19 outbreak, a copy of this minute order shall be served electronically.

The Court shall file the order.

SO ORDERED.

CLERK'S NOTE: A copy of this minute order shall be emailed to the parties/counsel. (kw 6/5/2020)

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	03/19/2021	Page 36 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint**COURT MINUTES**

August 05, 2020

D-17-560076-C Mary-Anne Colt, Stacey Kanter, Mary-Anne Colt, Plaintiff.
vs.
Alysa Marie Plummer, Defendant.

August 05, 2020 9:00 AM Evidentiary Hearing

HEARD BY: Moss, Cheryl B.**COURTROOM:** Courtroom 13**COURT CLERK:** Jefferyann Rouse**PARTIES:**

Alysa Plummer, Defendant, Counter Claimant, present	Carrie Hurtik, Attorney, not present
Mary-Anne Colt, Plaintiff, Counter Defendant, not present	Pro Se
Mary-Anne Colt, Plaintiff, not present	Pro Se
Preston Colt, Subject Minor, not present	
Robert Cerceo, Guardian Ad Litem, present	
Stacey Kanter, Plaintiff, present	Pro Se

JOURNAL ENTRIES

- EVIDENTIARY HEARING: PENDING THE MINOR CHILD'S STABILIZATION

Due to Governor Sisolak's Stay Home for Nevada directive, Plaintiff's/Mary-Anne Colt, and Stacey Kanter appeared in a pro se manner. Defendant Alysa Plummer and her Attorney of Record Linda Lay along with Guardian Ad Litem Bob Cerceo were all present via (bluejeans) equipment.

Upon the matter being called the Court noted the trial set in this matter was converted into a status check and ongoing issues with the child.

Parties SWORN and TESTIFIED

The Court further noted the subpoena submitted by Attorney Lay, the Court inquired as Counsel and

PRINT DATE:	03/19/2021	Page 37 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

parties reviewing the Guardian Ad Litem reports.

Attorney Cerceo advised the Court as to the minor child indicating he wants to continue contact with the Paternal Aunt

Plaintiff's indicated they haven't seen the minor child since 2-15-2020. Plaintiff further expressed concerns as to their attempts to contact Defendant in this matter once a week for a period of (10) weeks and never they never received a call back by defendant.

The Court noted concerns as to issues at hand.

THE COURT FINDS it does not appear that Mom has alienated the child from the other side of the child's family

THE COURT ORDERED,

This Court shall CONTINUE to MONITOR VISITATION.

Attorney Robert Cerceo shall CONTINUE as the GUARDIAN AD LITEM in this matter.

Attorney Robert Cerceo (GAL) shall do a CHECK-UP with the minor child EVERY (30) days and PROVIDE the COURT with an UPDATE as to the child's VISITATION.

Katie Thibeaux shall be PERMITTED to TESTIFY.

Krystal Whipple shall REMAIN the ACTIVE THERAPIST.

Attorney Robert Cerceo shall CONTINUE to HAVE a TELEPHONE CALL OR TEXT MESSAGE with Ms. Whipple as to what's going on in the case.

In regards to the CUSTODIAL EXCHANGE the RECEIVING PARTY shall be RESPONSIBLE for PICK-UP of the minor child.

Stacey's VISITATION with the minor child shall be REINSTATED. Stacey shall have VISITATION with the minor child from 3:00 pm on Friday's until Sunday at 6:00 pm.

The CUSTODIAL EXCHANGE shall OCCUR at Family Court located at 601 N. Pecos in Las Vegas.

The COURT ADMONISHED PARTIES as to DISPARAGING each other.

Parties shall not DISCUSS LITIGATION ISSUES with the minor child.

PRINT DATE:	03/19/2021	Page 38 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

The BLUEJEANS LINK shall be sent to Ms. Whipple as she shall be ALLOWED to APPEAR at the NEXT STATUS CHECK HEARING.

In regards to payment of the EXPERT WITNESS Plaintiff's shall SEEK REIMBURSEMENT of COSTS at TIME of Trial.

A ZOOM MEETING can be conducted from STACEY'S house with the minor child Preston.

Stacey's VISITATION with the minor child Preston shall be reinstated.

If Dr. Holland will ASSIST with LOGISTICS of this matter, Attorney Lay shall ask her client to comply.

Quarantine instructions in place shall be followed by all parties in this action.

Stacey shall KEEP mask, sanitizer and clothes for the minor child in her home.

Stacey's VISITATION with the minor child shall occur every other weekend beginning this weekend.

Ms. Hartman and Ms. Whipple shall provide REPORTS to the (GAL) all REPORTS received shall be PROVIDED to the court.

Information shall be provided to the Court as to the minor child's school schedule.

Department I's JEA shall PREPARE an AMENDED TRIAL ORDER as to the FUTURE COURT DATE.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	03/19/2021	Page 39 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint**COURT MINUTES**

September 08, 2020

D-17-560076-C Mary-Anne Colt, Stacey Kanter, Mary-Anne Colt, Plaintiff.
vs.
Alysa Marie Plummer, Defendant.

September 08, 1:30 PM All Pending Motions
2020

HEARD BY: Moss, Cheryl B.**COURTROOM:** Courtroom 13**COURT CLERK:** Jefferyann Rouse**PARTIES:**

Alysa Plummer, Defendant, Counter Claimant, present	Carrie Hurtik, Attorney, present
Mary-Anne Colt, Plaintiff, Counter Defendant, present	Pro Se
Mary-Anne Colt, Plaintiff, not present	Pro Se
Preston Colt, Subject Minor, not present	
Robert Cerceo, Guardian Ad Litem, present	
Stacey Kanter, Plaintiff, present	Pro Se

JOURNAL ENTRIES

- MOTION: MOTION TO NOT CONTINUE TEMPORARY VISITATION WIT PATERNAL AUNT STACEY KANTER...OPPOSITION: PLAINTIFF STACY KANTER'S OPPOSITION TO dDEFENDANT ALYSA PLUMMER'S MOTION TO NOT CONTINUE WITH TEMPORARY VISITATION WITH PLAINTIFF. PATERNAL AUNT, STACY KANTER ON ORDER SHORTENING TIME

Due to Governor Sisolak's Stay Home for Nevada directive, Plaintiff's Mary-Anne Colt and her Mother Stacey Kanter, along with Defendant/ Alysa Plummer and her Attorney of Record Carrie Hurtik all appeared via (bluejeans) equipment. Also present for today's proceedings was Amity Dorman from the Department of Family Services, Guardian Ad Litem, Robert Cerceo and the minor child's past therapist Ms. Whipple and current therapist Ms. Hartman were also present for today's proceedings via (bluejeans) audio equipment.

PRINT DATE:	03/19/2021	Page 40 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

Upon the matter being called, housekeeping issues were addressed by the court.

Attorney Bob Cerceo, the Guardian ad Litem (GAL) gave a verbal updated report.

THE COURT NOTED, Preston's therapist is now Hannah Hartman, and that Krystal Whipple was prior therapist
Child Protective Services referral on 8/17/2020, the Court further noted the (CPS) case is still on going.

THE COURT NOTED, Aunt Stacey and Paternal Grandmother still need to testify, the Court further noted the need to finish with Krystal Whipple's direct and cross examination as well as the Natural Mother needs to resume her direct examination from Defendant's side.

THE COURT FINDS, there was some type of traumatic response from the minor child, the severity is not as important as the fact that trauma is trauma.

THE COURT FINDS, Preston completed trauma therapy and improved and was transferred to theraplay for attachment therapy between the minor child and Mom.

THE COURT NOTED, Aunt Stacey requested in her/their COUNTERMOTION for a DIFFERENT THERAPIST for the minor child due to concerns of bias.

Aunt Stacey's MOTION for a DIFFERENT Therapist SHALL be DENIED.

THE COURT NOTED, Dr. Holland STIPULATED to Mom's Counsel and Aunt Stacey's prior Counsel as to Dr. Holland testifying as an expert for Aunt Stacey in this matter, with the COSTS being borne by Aunt Stacey.

This Court shall MONITOR closely how the VISITATION are going.

THE COURT ORDERED.

The Paternal Aunt shall be PERMITTED to come to the COURT HOUSE to review the Child Protective Services under a CONFIDENTIAL GAG ORDER.

The Paternal Aunt shall be PERMITTED to read the HOPE counseling letter and the (CPS) records at the courthouse. The Paternal Aunt shall email Department, she shall email the court's JEA for an appointment to read the documents
mom is home-schooling child with Time for Learning

PRINT DATE:	03/19/2021	Page 41 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

A NON-JURY TRIAL set for 4-21-2020 at 9:00 am full day (day 1).

NON-JURY TRIAL set for 4-22-2021 at 9:00 am full day (day 2)

CLOSING ARGUMENTS shall be (90) minutes.

VISITATION shall CONTINUE every other weekend however, they shall be REDUCED to Saturday day VISITS only EFFECTIVE 9-12-2020.

HOPE COUNSELING shall be used to FACILITATE CHILD EXCHANGES ever other Saturday from 9:00 am until 6:00 pm, if HOPE is not available, Donna's House SUPERVISED EXCHANGES shall occur. ALL FEES associated with Donna's House SUPERVISED EXCHANGES shall be WAIVED for both sides .

Department I's JEA shall submit a DONNA'S HOUSE REFERRAL order ASAP. VIA EMAIL.

The minor child Preston, shall CONTINUE Therapy with Hannah Hartman of Hope Counseling

Aunt Stacey shall SIGN the Courts CONFIDENTIALITY ORDER, upon signature Aunt Stacey shall RECEIVE the CPS Report via PDF email, the same information shall be sent to Attorney Cerceo the (GAL) and Mom's Attorney.

The VISITATION EXCHANGE of the minor child shall occur a Family Court Security Gate. Parties shall have AUTHORIZATION TO AUDIO or VIDEO RECORD.

Mom's Counsel shall prepare the courts order from today's proceedings and serve upon Attorney Cerceo as well.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	03/19/2021	Page 42 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint

COURT MINUTES

November 23, 2020

D-17-560076-C Mary-Anne Colt, Stacey Kanter, Mary-Anne Colt, Plaintiff.
vs.
Alysa Marie Plummer, Defendant.

November 23, 2020 10:00 AM All Pending Motions

HEARD BY: Hardcastle, Gerald W.

COURTROOM: Courtroom 13

COURT CLERK: Michelle Cunningham; Jamile Vazquez

PARTIES:

Alysa Plummer, Defendant, Counter Claimant, present	Carrie Hurtik, Attorney, not present
Mary-Anne Colt, Plaintiff, Counter Defendant, not present	Pro Se
Mary-Anne Colt, Plaintiff, present	Pro Se
Preston Colt, Subject Minor, not present	
Robert Cerceo, Guardian Ad Litem, present	
Stacey Kanter, Plaintiff, present	Pro Se

JOURNAL ENTRIES

- PLAINTIFF'S SECOND AMENDED MOTION AND NOTICE OF MOTION TO SET ASIDE ORDER, JUDGEMENT AND / OR DEFAULT...DEFENDANT ALYSA PLUMMER'S OPPOSITION TO MOTION TO SET ASIDE ORDER

COURT CLERKS: Michelle Cunningham (mlc), Jamile Vazquez

Parties appeared via BLUEJEANS.

Guardian Ad Litem (GAL), Bob Cerceo also present.

COURT NOTED that the minor child is in Defendant/Mother's custody and contact with

PRINT DATE:	03/19/2021	Page 43 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

Plaintiff/Grandmother, Mary-Anne Colt had been suspended except at Donna's House. COURT FURTHER NOTED the child is to go to counseling.

Court stated this case has been drawn out and it is his inclination that orders that have been entered continue until the new Judge comes in.

Attorney Lay represented that the minor child's therapist sent a letter stating that all contact with the paternal side of the family shall cease. Both Plaintiffs stated they did not receive anything.

Upon the Court's inquiry, GAL Cerceo stated there is a trial set and COURT NOTED it is a continuation of the trial. Attorney Cerceo further stated Judge Moss had suspended everything for about six (6) months and brought him in as the GAL. GAL Cerceo represented the minor child was doing well but then there was a down turn, was hurting himself and he expressed that he had difficulties visiting his Aunt but was comfortable with Grandmother. Further, the messages have been inconsistent. GAL Cerceo represented Aunt has engaged Dr. Holland to do an assessment.

Court inquired as to what changes are needed to get the parties to the next trial date. GAL stated the minor child stated he is uneasy with Aunt but that was different from what he told him the month before. Discussion regarding what the current visitation order is. Aunt stated there were false claims made about her to Child Protective Services (CPS) and Judge Moss dropped her time down, however, CPS found the claims unsubstantiated.

Court stated the trial needs to be dropped forward.

Aunt stated she has not seen the child all month, she filed for a Pick-Up Order, and wants her weekends back.

GAL Cerceo stated there should be contact with Aunt.

Court is inclined to keep the orders in place regarding contact with Grandmother. Grandmother stated she wants counsel removed from this case.

Attorney Lay stated they would request supervised visitation, every other weekend from 9:00 a.m. to 5:00 p.m. Attorney Lay further stated the minor child is close to being hospitalized because he is self-harming himself.

GAL Cerceo stated he does not have any objections to overnight visitations.

COURT ORDERED the following:

1. The Motion to SET ASIDE shall be DENIED on the basis of insufficient grounds. The minor child shall continue to reside with Mother.

PRINT DATE:	03/19/2021	Page 44 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

2. The Hearing set for 11/30/2020 shall be VACATED.

3. The Non-Jury Trial scheduled for 4/21/2021 and 4/22/2021 shall be RESCHEDULED to 1/28/2021 at 9:00 a.m. and 1/29/2021 at 9:00 a.m. (FULL DAY, STACK #3).

4. Aunt shall have VISITATION with the minor child every other weekend from Fridays at 1:00 p.m. until Saturdays at 4:00 p.m. There shall be NO EXCEPTIONS for holidays. The EXCHANGES shall take place at Donna's House. Order for Supervised Exchange EXECUTED and FILED IN OPEN COURT. Copies shall be emailed to the parties and counsel.

GAL Cerceo shall prepare the order from today's hearing.

INTERIM CONDITIONS:

FUTURE HEARINGS: Jan 29, 2021 9:00AM Non-Jury Trial
Stack #3 (Day 2)
Courtroom 21 Hardcastle, Gerald W.

PRINT DATE:	03/19/2021	Page 45 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint**COURT MINUTES**

January 20, 2021

D-17-560076-C Mary-Anne Colt, Stacey Kanter, Mary-Anne Colt, Plaintiff.
vs.
Alysa Marie Plummer, Defendant.

January 20, 2021 2:15 PM Minute Order

HEARD BY: Bailey, Sunny**COURTROOM:** Chambers**COURT CLERK:** Kendall Williams**PARTIES:**

Alysa Plummer, Defendant, Counter Claimant, not present	Carrie Hurtik, Attorney, not present
Mary-Anne Colt, Plaintiff, Counter Defendant, not present	Pro Se
Mary-Anne Colt, Plaintiff, not present	Pro Se
Preston Colt, Subject Minor, not present	
Robert Cerceo, Guardian Ad Litem, not present	
Stacey Kanter, Plaintiff, not present	Pro Se

JOURNAL ENTRIES

- MINUTE ORDER - NO HEARING HELD AND NO APPEARANCES

Court noted, Stacey Kanter's Ex-Parte Motion for Continuance e-filed on January 10, 2021 @ 1:06 AM. Court further notes, Motions for Continuance of a scheduled Evidentiary Hearing cannot be done Ex-Parte. Notice has to be provided to all parties involved in the case and an opportunity to respond to the issue needs to be provided.

COURT ORDERED:

Stacey Kanter s Ex-Parte Motion for Continuance e-filed on January 10, 2021 @ 1:06 AM is DENIED Pursuant to EDCR 2.23, and EDCR 7.30.

PRINT DATE:	03/19/2021	Page 46 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

Courtroom clerk to provide a copy of this Minute Order to all parties.

CLERK'S NOTE: A copy of this minute order shall be provided to the parties/counsel electronicelectronically. (kw 1/20/21)

INTERIM CONDITIONS:

FUTURE HEARINGS: Jan 29, 2021 9:00AM Non-Jury Trial
Stack #3 (Day 2)
Courtroom 21 Hardcastle, Gerald W.

PRINT DATE:	03/19/2021	Page 47 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint**COURT MINUTES**

January 28, 2021

D-17-560076-C Mary-Anne Colt, Stacey Kanter, Mary-Anne Colt, Plaintiff.
vs.
Alysa Marie Plummer, Defendant.

January 28, 2021 9:00 AM Non-Jury Trial

HEARD BY: Hardcastle, Gerald W.**COURTROOM:** Courtroom 21**COURT CLERK:** Gabriella Konicek**PARTIES:**

Alysa Plummer, Defendant, Counter Claimant, present	Carrie Hurtik, Attorney, present
Mary-Anne Colt, Plaintiff, Counter Defendant, present	Pro Se
Mary-Anne Colt, Plaintiff, not present	Pro Se
Preston Colt, Subject Minor, not present	
Robert Cerceo, Guardian Ad Litem, present	
Stacey Kanter, Plaintiff, present	Pro Se

JOURNAL ENTRIES

- NON-JURY TRIAL: STACK #3(DAY 1)...PLAINTIFF'S OBJECTION TO SUBPOENA NEW WITNESSES

Plaintiff/Grandmother Ms. Mary Colt present by audio. Intervener/Aunt Ms. Stacey Kanter, Guardian Ad Litem for minor child Mr. Robert Cerceo, Defendant/Mom Ms. Alysa Marie Plummer, Ms. Linda Lay and Ms. Carrie Hurtik present by video.

The Court noted the issue of prior proceedings and it is intending to review the prior hearing recordings and exhibits admitted. Further, the Court admonished parties to be direct, reasonable and respectful during these proceedings as this Court takes the rules of evidence very seriously and if necessary it will consider contempt sanctions including incarceration.

PRINT DATE:	03/19/2021	Page 48 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

Discussion regarding the upcoming scheduled motions such as a request for a continuance of trial due to intervener's lack of legal representation, request for the admission of expert witnesses to be admitted, opportunity to take therapist and experts testimony and the objection to subpoena new witnesses.

Parties SWORN and TESTIFIED and NO New EXHIBITS presented.

The Court TRAILED the matter and upon its return; the Court confirmed for the record the detailed admission of exhibits from prior trials on July 10, 2019 and July 11, 2019: Parties STIPULATED to admit Plaintiff's Exhibits 3-113, 129-220, 242-252, 259-267, 276, 293-296, Parties STIPULATED to admit All of Defendant's Exhibits A - H and Plaintiff's SEALED Exhibit 1 (CPS Records) Bates #000769-001247.

The Court advised the Mother will testify in tomorrow's proceedings 01/29/2021.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	03/19/2021	Page 49 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint**COURT MINUTES**

January 29, 2021

D-17-560076-C Mary-Anne Colt, Stacey Kanter, Mary-Anne Colt, Plaintiff.
vs.
Alysa Marie Plummer, Defendant.

January 29, 2021 9:00 AM Non-Jury Trial

HEARD BY: Hardcastle, Gerald W.**COURTROOM:** Courtroom 21**COURT CLERK:** Gabriella Konicek**PARTIES:**

Alysa Plummer, Defendant, Counter Claimant, present	Carrie Hurtik, Attorney, present
Mary-Anne Colt, Plaintiff, Counter Defendant, present	Pro Se
Mary-Anne Colt, Plaintiff, not present	Pro Se
Preston Colt, Subject Minor, not present	
Robert Cerceo, Guardian Ad Litem, present	
Stacey Kanter, Plaintiff, present	Pro Se

JOURNAL ENTRIES

- NON-JURY TRIAL: STACK #3 (DAY 2)

Plaintiff/Grandmother Ms. Mary Colt, Intervener/Aunt Ms. Stacey Kanter, Guardian Ad Litem for minor child Mr. Robert Cerceo, Defendant/Mom Ms. Alysa Marie Plummer, Ms. Linda Lay and Ms. Carrie Hurtik present by video.

The Court outlined the importance of the rules of evidence and the course this case has taken. The Court further admonished the parties if more videos of the case proceedings are being leaked to Veterans in Politics website or channel or any other media outlet that will be considered a substantial reason for the Court to modify custody and/or deny visitation. The Court noted this case will now be sealed and directed Mr. Cerceo to prepare the order with the specifics.

PRINT DATE:	03/19/2021	Page 50 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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

Parties SWORN and TESTIFIED, NO EXHIBITS presented (see prior Exhibits worksheet). CLOSING ARGUMENTS.

COURT stated its FINDINGS and ORDERED the following:

1. The RECORD on this matter shall be SEALED. The Court directed Mr. Cerceo to prepare the order and submit to the Court for review and signature.
2. The Court took the matter UNDER ADVISEMENT and it will issue its written decision.

CASE CLOSED; upon entry of order.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	03/19/2021	Page 51 of 51	Minutes Date:	December 13, 2017
-------------	------------	---------------	---------------	-------------------

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



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

MARY-ANN COLT
STACEY KANTER
9700 W. SUNSET RD., #2039
LAS VEGAS, NV 89148

DATE: March 19, 2021
CASE: D-17-560076-C

RE CASE: MARY ANNE COLT ; STACEY KANTER vs. ALYSA MARIE PLUMMER

NOTICE OF APPEAL FILED: March 17, 2021

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

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

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)**
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☒ \$24 – District Court Filing Fee (Make Check Payable to the District Court)**
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)**
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
 - *Previously paid Bonds are not transferable between appeals without an order of the District Court.*
- ☐ Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

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

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

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

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

Certification of Copy

State of Nevada }
County of Clark } SS:

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

JOINT NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; DECISION AND ORDER; NOTICE OF ENTRY OF DECISION AND ORDER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

MARY ANNE COLT ; STACEY KANTER,

Plaintiff(s),

vs.

ALYSA MARIE PLUMMER,

Defendant(s),

Case No: D-17-560076-C

Dept No: I

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 19 day of March 2021.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk



**EIGHTH JUDICIAL DISTRICT COURT
CLERK OF THE COURT**

REGIONAL JUSTICE CENTER
200 LEWIS AVENUE, 3rd Fl.
LAS VEGAS, NEVADA 89155-1160
(702) 671-4554

Steven D. Grierson
Clerk of the Court

Anntoinette Naumec-Miller
Court Division Administrator

March 19, 2021

Elizabeth A. Brown
Clerk of the Court
201 South Carson Street, Suite 201
Carson City, Nevada 89701-4702

RE: MARY ANNE COLT ; STACEY KANTER vs. ALYSA MARIE PLUMMER
D.C. CASE: D-17-560076-C

Dear Ms. Brown:

Please find enclosed a Notice of Appeal packet, filed March 17, 2021. Due to extenuating circumstances the exhibits list have not been included.

We do not currently have a time frame for when these minutes will be available.

If you have any questions regarding this matter, please contact me at (702) 671-0512.

Sincerely,
STEVEN D. GRIERSON, CLERK OF THE COURT

A handwritten signature in black ink, appearing to read "A Hampton", written over a horizontal line.

Amanda Hampton, Deputy Clerk