1 IN THE SUPREME COURT OF THE STATE OF NEVADA 2 * * * * * 3 AMY COLLEEN LUCIANO, N/K/A/ 4 AMY HANLEY, 5 Appellant, 6 VS. 7 8 FRANK LUCIANO, 9 Respondent. 10 11 12 13 14 15 16 17 18 complete the Docketing Statement Questionnaire. 19 20 21 DATED this 13th day of October, 2021. 22 23 By: 24 25 Reno, NV 89509 26

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Supreme Court No. 835 Dectronically Filed Oct 13 2021 11:35 a.m. District Court Case No. Digestooth A. Brown Clerk of Supreme Court

MOTION TO EXTEND TIME FOR THE FILING OF THE DOCKETING STATEMENT

COMES NOW, Appellant Amy Colleen Luciano, N/K/A/ Amy Hanley, by and through counsel, Pete Cladianos III, Esq., The Law Offices of Charles R. Zeh, Esq., and moves for an Order extending the time to file the Docketing Statement pursuant to Rule 14(d) NRAP. Good cause exists for this motion because the Appellant has not gained access to the entire record of the proceedings in the District Court, despite its efforts to do so, and is therefore unable to

The undersigned does hereby affirm that pursuant to NRS 239B.030, the preceding document does not contain the social security number of any person.

The Law Offices of Charles R. Zeh, Esq.

Pete Cladianos III, Esq.

The Law Offices of Charles R. Zeh, Esq.

50 West Liberty Street, Suite 950

Phone: 775.323.5700 Email: crzeh@aol.com

Attorneys for Appellant

1 **CERTIFICATE OF SERVICE** 2 I certify that I am an employee of The Law Offices of Charles R. Zeh, Esq., and that on this date I served the attached Motion to Extend Time for the Filing of the Docketing 3 Statement (First Request), on those parties identified below by placing an original or true 4 copy thereof in a sealed envelope, postage prepaid, placed for collection and mailing in the United States Mail, at Reno, Nevada: 5 6 Julio Vigoreaux, Jr., Esq. The Law Office of Julie Vigoreaus, Jr. 7 400 S. 4th Street, Suite 500 8 Las Vegas, NV 89101 9 Ara H. Shirinian, Esq. 10 Ara Shirinian Mediation 10651 Capesthorne Way 11 Las Vegas, NV 89135 12 Dated this 13th day of October, 2021. 13 14 15 /s/Karen Kennedy An Employee of 16 The Law Offices of Charles R. Zeh, Esq. 17 S:\Clients\Hanley, Amy\Motion.Extend time.filing.docketing.statement.R1.wpd 18 19 20 21 22

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IN THE SUPREME COURT OF THE STATE OF NEVADA

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AMY COLLEEN LUCIANO, N/K/A/ AMY HANLEY,

Appellant,

FRANK LUCIANO,

vs.

Respondent.

Supreme Court No. 83522

District Court Case No. D598320

POINTS AND AUTHORITIES IN SUPPORT OF MOTION TO EXTEND TIME FOR THE FILING OF THE DOCKETING STATEMENT

(First Request)

This appeal arises out of a divorce and child custody case. Appellant represented herself in the trial, the proceedings in advance thereof and certain actions thereafter. See, Declaration of Pete Cladianos III, Esq., "PC3" ¶ 2. Appellant believes that she was denied certain rights in the divorce hearing, preliminary hearings and subsequent court actions. PC3 ¶ 3. A trial of the matter occurred on May 19, 2020. The Appellant was not in attendance. PC3 ¶ 4. The decree dated June 8, 2020, was granted pursuant to Rule 2.69(c), ECDR (Failure to attend a Calendar Call). PC3 ¶ 5. Full custody of the couples' child without visitation and child support payments were awarded without any evidence provided by the Appellant. PC3 ¶ 6. The record was sealed on July 27, 2020. PC3 ¶ 7.

This law firm was engaged in September of 2021 and provided its Notice of Appearance on September 7, 2021. PC3 ¶ 8. Upon becoming attorney of record, the Appellant's legal counsel discovered that it only had access to certain documents in the lower Court proceedings. PC3 ¶ 9. Efforts were then made to access the entire case file. PC3 ¶ 10. On Monday October 11, 2021, contact was made with the Appeals Department of the District Court Clerk's Office in Clark County which is to supply the entire record of the proceedings in the District Court. PC3 ¶ 11.

Arrangements have been made for the Appeals Department to send the entire case file to the Appellant's attorneys as a CD ROM. PC3 ¶ 12. The record was to be sent on Tuesday, October 12, 2021. PC3 ¶ 13. However, Appellant's attorneys will not receive it until later in the week because time will be required for mailing. PC3 ¶ 14. This record, in whole or in part, is a requirement of the Docketing Statement. PC3 ¶ 15. Specifically, the Appellant is required to attach file stamped copies of pleadings, motions, the associated notices of entry of orders and proofs of services. PC3 ¶ 16. This is a requirement which Appellant cannot meet until after the deadline for the filing of the Docketing Statement. PC3 ¶ 17. Moreover, legal counsel needs time to review the record to determine the validity of the actions of the lower court. PC3 ¶ 18.

Based on the above, good cause is shown for an extension of time pursuant to Rule 14(d) NRAP. Counsel for Appellant requests the deadline for the filing of the docketing statement be extended by 21 days until November 3, 2021. This is the first request for an extension of time in this matter and is not made for the purpose of delay or harassment.

The undersigned does hereby affirm that pursuant to NRS 239B.030, the preceding document does not contain the social security number of any person.

DATED this 13th day of October, 2021. The Law Offices of Charles R. Zeh, Esq.

By:

Pete Cladianos III, Esq.

The Law Offices of Charles R. Zeh, Esq.

50 West Liberty Street, Suite 950

Reno, NV 89509

Phone: 775.323.5700 Email: crzeh@aol.com

Attorneys for Appellant

1	CERTIFICATE OF SERVICE
2	I certify that I am an employee of The Law Offices of Charles R. Zeh, Esq., and that on this date I served the attached <i>Points and Authorities in Support of Motion to Extend Time for the Filing of the Docketing Statement (First Request)</i> , on those parties identified below by placing an original or true copy thereof in a scaled envelope, postage prepaid.
4	below by placing an original or true copy thereof in a sealed envelope, postage prepaid, placed for collection and mailing in the United States Mail, at Reno, Nevada:
5	Julio Vigoreaux, Jr., Esq. The Law Office of Julie Vigoreaus, Jr.
6	400 S. 4th Street, Suite 500 Las Vegas, NV 89101
7	Ara H. Shirinian, Esq.
8	Ara Shirinian Mediation 10651 Capesthorne Way
	Las Vegas, NV 89135
10 11	Las Vegas, NV 89135 Dated this 13 th day of October, 2021. SKaren Kennedy An Employee of The Law Offices of Charles R. Zeh, Esq.
12	An Employee of The Law Offices of Charles R. Zeh, Esq.
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IN THE SUPREME COURT OF THE STATE OF NEVADA 1 * * * * 2 3 Supreme Court No. 83522 AMY COLLEEN LUCIANO, N/K/A/ AMY HANLEY, 4 District Court Case No. D598320 Appellant, 5 VS. 6 FRANK LUCIANO, 7 Respondent. 8 9 DECLARATION OF PETE CLADIANOS III, ESQ. 10 Pete Cladianos III, Esq., hereby swears and affirms under penalty of perjury, that the 11 following assertions are true of my own personal knowledge except those allegations I make 12 upon information and belief and as to those allegations, I believe them to be true: I am one of the attorneys for the Appellant in the above-captioned case. 13 1. This appeal arises out of a divorce and child custody case. Appellant represented 14 2. 15 herself in these proceedings. The Appellant believes that she was denied rights in the divorce hearing, 3. 16 preliminary hearings and subsequent proceedings. 17 A trial of the matter occurred on May 19, 2020. The Appellant was not in 4. 18 19 attendance. The decree, dated June 8, 2020, was granted pursuant to Rule 2.69(c), ECDR 5. 20 (Failure to attend a Calendar Call). 21 Respondent was granted full custody of the couples' seven year old daughter. 6. 22 Appellant was given no visitation rights and ordered to make child support payments. 23 7. The record was sealed on July 27, 2020. 24 This law firm was engaged in September of 2021 and provided its Notice of 8. 25 Appearance on September 7, 2021. 26

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- 9. Upon becoming attorney of record, the Appellant's legal counsel discovered that there was only access to certain documents in the lower court proceedings.
 - 10. I and members of our firm undertook efforts to access the entire case file.
- 11. On Monday the 11th of October, 2021, contact was made with the Appeals

 Department of the District Court Clerk's Office in Clark County which is to supply the entire record of the proceedings in the District Court.
- 12. Arrangements have been made for the Appeals Department in Clark County to send the entire case file to the Appellant's attorneys as a CD ROM.
 - 13. The record was to be sent on Tuesday, the 12th of October, 2021.
- 14. Appellant's legal counsel will not receive it until later in the week because time will be required for mailing.
 - 15. This record, in whole or in part, is a requirement of the Docketing Statement.
- 16. Specifically, the Appellant's attorneys are required to attach file stamped copies of pleadings, motions, associated notices of entry of orders and the proof of service thereof.
- 17. This is a requirement which Appellant's attorneys cannot meet until after the deadline for the filing of the Docketing Statement.
- 18. Moreover, legal counsel needs time to review the record to determine the validity of the actions of the lower court.

Dated this 13th day of October, 2021.

Pete Cladianos III, Esq.

CERTIFICATE OF SERVICE

1	CERTIFICATE OF BERVICE
2	I certify that I am an employee of The Law Offices of Charles R. Zeh, Esq., and that on this date I served the attached <i>Declaration of Pete Cladianos III, Esq.</i> , on those
3 parties identified below by placing an original or true copy thereof in a s	parties identified below by placing an original or true copy thereof in a sealed envelope, postage prepaid, placed for collection and mailing in the United States Mail, at Reno,
4	
 Julio Vigoreaux, Jr., Esq. The Law Office of Julie Vigoreaus, Jr. 400 S. 4th Street, Suite 500 Las Vegas, NV 89101 	Julio Vigoreaux, Jr., Esq. The Law Office of Julie Vigoreaus, Jr.
	400 S. 4 th Street, Suite 500 Las Vegas, NV 89101
7	Ara H. Shirinian, Esq.
	8 Ara Shirinian Mediation 10651 Capesthorne Way
	Las Vegas, NV 89135
10	Dated this 13 th day of October, 2021.
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12	An Employee of The Law Offices of Charles R. Zeh, Esq.
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