IN THE SUPREME COURT OF THE STATE OF NEVADA

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AMY COLLEEN LUCIANO,

Appellant,

Respondent.

N/K/A/ AMY HANLEY,

VS.

FRANK LUCIANO,

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Electronically Filed Supreme Court No. \$25222 2022 10:30 a.m. lizabeth A. Brown

District Court Case No. D59 upreme Court

ERRATA TO THE CHILD CUSTODY FAST TRACK STATEMENT

On page 14 change lines 5-9 to read: The Court's Order after the August 10, 2021 Chambers Calendar also constituted an abuse of discretion because the decision was based upon the law of the case. AA0275.

On page 6 change lines 11-22 to read: On Sunday, February 16, 2020, Appellant took Gianna to Respondent's house and encountered Respondent who she determined to have been heavily drinking. AA0255. Upon encountering Appellant, Respondent shoved her out of the front door, causing her to fall and become injured. AA0255. Gianna was present when this occurred and witnessed the entire event. AA0255, AA0270.

On page 16 delete lines 26-27, (footnote 3).

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On pages 17 and 18 change lines 25-26 and 1-4 to read: Awarding child
custody as a sanction flies in the teeth of the NRS 125C.0035(4) factors. Child
custody matters must be decided on their merits. Blanco v. Blanco, 129 Nev. 723,
730, 311 P.3d 1170, 1174 (2013) ("It is well established that when deciding child
custody, the sole consideration of the court is the child's best interest.") The
conduct of a parent in litigation is not a relevant consideration for determining the
child's best interest. Courts may not use changes of custody to punish parental
misconduct; Sims v. Sims, 109 Nev. 1146, 1149, 865 P.2d 328, 330 (1993);
Dagher v. Dagher, 103 Nev. 26, 28 n. 3, 731 P.2d 1329, 1330 n. 3 (1987). In light
of the Court's impermissible award of custody as a sanction, this matter must be
remanded to the trial court for an evidentiary hearing thereon NRS 125C.0035(4)
factors.
Dated this 22 nd day of February, 2022 The Law Offices of Charles R. Zeh. Esq.

By: /s/ Pete Cladianos III, Esq.
Bar Number 8406
50 West Liberty St. Ste. 950
Reno NV 89501
775 323 5700

1	CERTIFICATE OF SERVICE
2	I certify that I am an employee of the Law Offices of Charles R. Zeh, Esq.,
3	and that on this date I served the attached document Errata to the Child Custody
5	Fast Tracking Statement, on those parties identified below by emailing the same to
7	the following
8	email addresses:
9	Julio Vigoreaux, Jr., Esq <u>jvigoreaux@gmail.com</u>
10	
11	Dated this 22 nd day of February, 2022.
12	/s/ Heather A.Evans
13	An Employee of
14	The Law Offices of Charles R. Zeh, Esq.
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