

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

vs.

Respondent.

District Court Case No. D598320

Electronically Filed
Feb 22 2022 10:30 a.m.
8:35:27
Elizabeth A. Brown
Clerk of Supreme Court
No. D598320

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

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