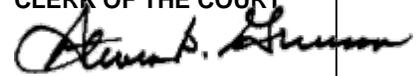


The Grigsby Law Group  
2880 W. Sahara Ave.  
Las Vegas, Nevada 89102  
Tel: (702) 202-5235

1 NOTC  
2 Aaron D. Grigsby, Esq.  
3 Nevada Bar No. 9043  
4 The Grigsby Law Group  
5 A Professional Corporation  
6 2880 W. Sahara Ave,  
7 Las Vegas, Nevada 89102  
8 Phone: (702) 202-5235  
9 Fax: (702) 944-7856  
10 [aaron@grigsbylawgroup.com](mailto:aaron@grigsbylawgroup.com)  
11 Attorney for Miguel A. Gonzalez

Electronically Filed  
10/22/2020 3:44 PM  
Steven D. Grierson  
CLERK OF THE COURT



Electronically Filed  
Oct 29 2020 12:21 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

12 DISTRICT COURT  
13 FAMILY DIVISION  
14 CLARK COUNTY, NEVADA

15 LILIANA C. GONZALEZ,  
16 Plaintiff, Case No. D-07-376585-Z  
17 vs. Dept. No. F  
18 MIGUEL A. GONZALEZ,  
19 Defendant,

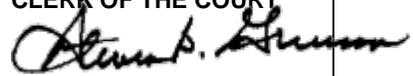
20 NOTICE OF APPEAL

21 Notice is hereby given that Defendant, Miguel  
22 Gonzalez, hereby appeals to the Supreme Court of  
23 Nevada from the Order entered in this action on  
24 October 22, 2020.

25 DATED this 22<sup>nd</sup> day of October, 2020

26 By: /s/Aaron Grigsby  
27 Aaron D. Grigsby, Esq.  
28 Nevada Bar No. 9043  
2880 West Sahara Ave.  
Las Vegas, Nevada 89102





1 ASTA  
2 Aaron D. Grigsby, Esq.  
3 Nevada Bar No. 9043  
4 The Grigsby Law Group  
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7 Las Vegas, Nevada 89102  
8 Phone: (702) 202-5235  
9 Fax: (702) 944-7856  
10 [aaron@grigsbylawgroup.com](mailto:aaron@grigsbylawgroup.com)  
11 Attorney for Miguel A. Gonzalez

12 DISTRICT COURT  
13 FAMILY DIVISION  
14 CLARK COUNTY, NEVADA

15 LILIANA C. GONZALEZ,

16 Plaintiff,

Case No. D-07-376585-Z

17 vs.

Dept. No. F

18 MIGUEL A. GONZALEZ,

19 Defendant,

20 \_\_\_\_\_/  
21 **CASE APPEAL STATEMENT**

22 A. Name of Appellant filing this case appeal  
23 statement:

24 Miguel Gonzalez

25 B. Identify the judge issuing the decision,  
26 judgment, or order appealed from:

27 The Honorable Denise L. Gentile, Eight Judicial  
28 District Court

C. Identify each appellant and the name and address  
of counsel for each appellant:

Miguel Gonzalez, Appellant

1 Aaron D. Grigsby, Esq  
2 Grigsby Law Group  
3 2880 West Sahara Ave.  
4 Las Vegas, Nevada 89102  
5 Counsel for Appellant

6 D. Identify each respondent and the name and address  
7 of appellate counsel, if known, otherwise name  
8 and address of respondent's trial counsel:

9 Liliana C. Gonzalez, Respondent

10 Byron L. Mills, Esq  
11 Mills & Anderson  
12 703 S. 8<sup>th</sup> Street  
13 Las Vegas, Nevada 89101

14 E. Identify whether Appellant was represented by  
15 appointed counsel in the district court:

16 Appellant was not represented by appointed  
17 counsel in the district court.

18 F. Identify whether appellant is represented by  
19 appointed counsel on appeal:

20 Appellant is not represented by appointed counsel  
21 on appeal.

22 G. Identify if Appellant was granted leave to  
23 proceed in forma pauperis and if so, the date of  
24 the district court's order granting that leave:

25 No

26 H. Date that the proceedings commenced in the  
27 district court:

28 August 5, 2020

I. Provide a brief description of the nature of the  
action and result in district court, including

1 the type of judgment or order being appealed and  
2 the relief granted by the district court:  
3 The action started as a divorce action; divorce  
4 was finalized July 30, 2007. The Plaintiff filed  
5 a motion to enforce the Decree of Divorce.  
6 Defendant opposed the motion. The Judge granted  
7 Plaintiff's motion. This order is being  
8 appealed.

9 J. Identify if the case been the subject of an  
10 appeal to or original writ proceeding in the  
11 Supreme Court:

12 No.

13 K. Identify if appeal involves child custody and  
14 visitation:

15 No.

16 L. Identify if appeal involves the possibility of  
17 settlement:

18 Yes.

19 Dated this 22<sup>nd</sup> day of October, 2020

20

21

The Grigsby Law Group  
A Professional Law Corporation

22

23

24

/s/Aaron Grigsby  
Aaron D. Grigsby, Esq.  
Nevada Bar No. 9043  
2880 West Sahara Ave.  
Las Vegas, Nevada 89102  
(702) 202-5235

25

26

27

28



EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. D-07-376585-Z**

**In the Matter of the Joint Petition for Divorce of:**  
**GONZALEZ, LILIANA C and GONZALEZ,**  
**MIGUEL A**

§  
§  
§  
§

Location: **Department F**  
 Judicial Officer: **Gentile, Denise L**  
 Filed on: **06/19/2007**

CASE INFORMATION

**Related Cases**

R-12-168257-R (Linked - 1J1F)

Case Type: **Divorce - Joint Petition**

Subtype: **Joint Petition Subject Minor(s)**

**Statistical Closures**

10/21/2020 Settled/Withdrawn With Judicial Conference or Hearing

10/14/2011 Involuntary Dismissal

07/30/2007 Decision without Trial / Hearing

Case Status: **10/21/2020 Closed**

Case Flags: **Order After Hearing Required**  
**Proper Person Documents**  
**Mailed**  
**Appealed to Supreme Court**

DATE

CASE ASSIGNMENT

**Current Case Assignment**

Case Number	D-07-376585-Z
Court	Department F
Date Assigned	01/05/2015
Judicial Officer	Gentile, Denise L

PARTY INFORMATION

**Petitioner**

**GONZALEZ, LILIANA C**  
 2767 La Canda  
 Las Vegas, NV 89109

**Mills, Byron**  
 Retained  
 702-386-0030(W)  
**Rincon, Adriana**  
 Retained  
 702-444-7777(W)

**GONZALEZ, MIGUEL A**  
 6419 RUBYLYN AVE  
 Las Vegas, NV 89122

**Grigsby, Aaron D, ESQ**  
 Retained  
 702-202-5235(W)

**Subject Minor**

**Gonzalez, Catherine Esther**  
**Gonzalez, Michael Jeovany**

DATE

EVENTS & ORDERS OF THE COURT

**EVENTS**

06/19/2007	 Joint Petition for Summary Decree of Divorce
06/19/2007	 Affidavit of Resident Witness Filed by: Petitioner GONZALEZ, LILIANA C
07/03/2007	 Notice of Seminar Completion EDCR 5.07 Filed by: Petitioner GONZALEZ, LILIANA C
07/03/2007	 Notice of Seminar Completion EDCR 5.07 Filed by: Petitioner GONZALEZ, MIGUEL A
07/18/2007	 Joint Petition for Summary Decree of Divorce <i>Amended</i>
07/30/2007	

**CASE SUMMARY**

**CASE NO. D-07-376585-Z**

-  Decree of Divorce  
Filed by: Petitioner GONZALEZ, MIGUEL A; Petitioner GONZALEZ, LILIANA C
- 03/15/2011  Notice of Motion  
Filed By: Petitioner GONZALEZ, LILIANA C  
*Notice of Motion*
- 04/06/2011  Certificate of Mailing  
Filed By: Petitioner GONZALEZ, LILIANA C  
*Certificate of Mailing*
- 04/26/2011  Financial Disclosure Form  
Filed by: Petitioner GONZALEZ, LILIANA C  
*Financial Disclosure Form*
- 08/15/2011  Motion  
Filed By: Petitioner GONZALEZ, LILIANA C  
*Plaintiff's Motion For Change In Visitation Schedule; Child Support And Attorney's Fees*
- 09/16/2011  Financial Disclosure Form  
Filed by: Petitioner GONZALEZ, LILIANA C  
*Financial Disclosure Form*
- 09/16/2011  Certificate of Mailing  
Filed By: Petitioner GONZALEZ, LILIANA C  
*Certificate of Mailing of Financial Disclosure Form*
- 10/14/2011  Order  
Filed By: Petitioner GONZALEZ, LILIANA C  
*Order of the Court*
- 10/26/2011  Notice of Entry of Order  
Filed By: Petitioner GONZALEZ, LILIANA C  
*Notice of Entry of Order and Withdrawal of Attorney*
- 01/05/2015 Judicial Elections 2014 - Case Reassignment  
*Family Court Judicial Officer Reassignment 2014*
- 08/05/2020  Motion  
Filed By: Petitioner GONZALEZ, LILIANA C  
*Plaintiffs Motion to Enforce Decree of Divorce and Other Related Relief, and Notice of Motion*
- 08/05/2020  Certificate of Service  
Filed by: Petitioner GONZALEZ, LILIANA C  
*Certificate o Electronicf Service*
- 08/06/2020  Clerk's Notice of Hearing  
*Clerks Notice of Hearing*
- 08/06/2020  Re-Notice of Motion  
Filed by: Petitioner GONZALEZ, LILIANA C  
*Re-Notice of Motion*
- 08/07/2020  Notice of Hearing  
*Notice of hearing*
- 08/07/2020  Certificate of Service  
Filed by: Petitioner GONZALEZ, LILIANA C  
*Certificate of Electronic Service*
- 08/17/2020  Opposition and Counter-motion  
Filed By: Attorney Grigsby, Aaron D, ESQ; Petitioner GONZALEZ, MIGUEL A  
*Petitioner Miguel Gonzalez Opposition to Motion to Enforce Decree of Divorce and Other Related Relief and Counter-motion for Attorney's Fees and Cost*

**CASE SUMMARY**

**CASE NO. D-07-376585-Z**

- 08/21/2020  Financial Disclosure Form  
Filed by: Petitioner GONZALEZ, LILIANA C  
*General Financial Disclosure Form*
- 08/24/2020  Financial Disclosure Form  
Filed by: Petitioner GONZALEZ, LILIANA C  
*Amended Financial Disclosure Form*
- 08/26/2020  Certificate of Service  
Filed by: Petitioner GONZALEZ, LILIANA C  
*Certificate of Electronic Service*
- 09/02/2020  Reply to Opposition  
Filed by: Petitioner GONZALEZ, LILIANA C  
*Plaintiff's Reply to Defendant's Opposition to Plaintiff's Motion to Enforce Decree of Divorce and Other Related Relief and Opposition to Defendant's Countermotion for Attorney's Fees*
- 09/03/2020  Certificate of Service  
Filed by: Petitioner GONZALEZ, LILIANA C  
*Certificate of Electronic Service*
- 10/21/2020  Order  
*Order of the Court*
- 10/22/2020  Notice of Entry of Order  
Filed By: Petitioner GONZALEZ, LILIANA C  
*Notice of Entry of Order*
- 10/22/2020  Notice of Appeal  
Filed By: Petitioner GONZALEZ, MIGUEL A  
*Notice of Appeal*
- 10/22/2020  Case Appeal Statement  
Filed By: Petitioner GONZALEZ, MIGUEL A  
*Case Appeal Statement*

**HEARINGS**

- 05/02/2011 **Motion to Modify Custody** (9:30 AM) (Judicial Officer: Gonzalez, William B)  
Events: 03/15/2011 Notice of Motion  
*Liliana Gonzalez's Motion to Modify Custody, Visitation and/or Child Support Off Calendar;*  
Journal Entry Details:  
*LILIANA GONZALEZ'S MOTION TO MODIFY CUSTODY, VISITATION AND /OR CHILD SUPPORT*  
*Petitioner, Miguel Gonzalez, did not make an appearance when this matter was called. The Court noted Ms. Gonzalez had filed a Certificate of Mailing in this matter as proof of service. Upon Court's inquiry, Ms. Gonzalez stated Mr. Gonzalez spent very little time with the minor children. The Court explained to Petitioner if the child support was modified based on her current petition, the change would be based on the order issued in the Decree, which indicated the parties were sharing equal custody of the minor child. The Court suggested Ms. Gonzalez submit an amended order requesting custody be modified. COURT ORDERED, MATTER OFF CALENDAR. ;*  
*Off Calendar*
- 09/19/2011  **Motion to Modify Visitation** (9:30 AM) (Judicial Officer: Gonzalez, William B)  
Events: 08/15/2011 Motion  
*Liliana Gonzalez's Motion For Change In Visitation Schedule, Child Support And Attorney's Fees*

**MINUTES**

Matter Heard;  
Journal Entry Details:

*Court noted, no appearance by the Defendant. Plaintiff sworn and testified. Plaintiff stated, she last saw the Defendant in June for the last court date. Plaintiff explained, she tried to talk to him about child support but he refused to discuss it. Also stated, Defendant has not been following the visitation schedule and has only given her \$200.00 towards child support. Ms. Rincon represented, Defendant has owned Giovanni's Restaurant since February 2011. Ms. Rincon requested the Court impute the Nevada General Wage of \$3,475.00 per month.*

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. D-07-376585-Z**

*COURT ORDERED, It appears Mom has had de facto primary physical custody of the minor children. The Court will impute the Nevada General Wage against the Defendant to set child support at \$850.00 per month which would be 25% of his gross monthly income, as of August 2011. The Court will award Plaintiff the sum of \$1,700.00 in child support arrears. Beginning October 1, 2011, Defendant shall pay Plaintiff \$850.00 per month as child support and an ADDITIONAL \$200.00 per month towards child support arrears until the arrears are paid in full. Defendant shall have visitation every other weekend from Friday's through Sunday's. If he wants more visitation, he must File a Motion with the Court. Plaintiff AWARDED \$1,250.00 for Attorney's fees. Ms. Rincon shall prepare the Order for today's hearing.;*

*Matter Heard*

09/18/2020

**CANCELED Motion** (0:05 AM) (Judicial Officer: Gentile, Denise L)

*Vacated - per Attorney or Pro Per*

*Plaintiffs Motion to Enforce Decree of Divorce and Other Related Relief, and Notice of Motion*

09/21/2020



**Minute Order** (8:00 AM) (Judicial Officer: Gentile, Denise L)

*Minute Order - No Hearing Held;*

*Journal Entry Details:*

*NRCP 1 and EDCR 1.10 state the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to Administrative Order 20-17, this Court may issue a decision on the papers. COURT FINDS that a Motion to Enforce Decree of Divorce and Other Related Relief was filed by Petitioner Liliana Gonzalez to enforce the terms of the parties Decree of Divorce which granted her the right to the marital residence; she was to receive a quitclaim deed and she was to refinance the home within 3 months. COURT FINDS that the Motion was scheduled on this Court's calendar on Wednesday September 23, 2020. COURT FINDS that an Opposition to the Motion was filed alleging that Liliana failed to timely assert her rights to the home, pursuant to Davidson v. Davidson, thus, she no longer had the right to 100% ownership of the home, and that she was a 50% co-owner with her ex-husband. COURT FINDS that in his Opposition, Miguel argues that he is entitled to 50% of the entirety of the home, even though Liliana was awarded the home in the Decree, has paid on the mortgage for 13 years, and he has paid nothing on the home, since the parties divorce; Miguel alleges that because there has been no quitclaim or refinance, that he is still entitled to assert his rights to the payment of the equity value of the home from 2007 and of the entirety of the increase in equity that exists from that date to now. Liliana's Reply cited the most recent case which refutes Miguel's argument. COURT FINDS that it has considered the arguments from each party, and has weighed the facts and the law. COURT FINDS that it is persuaded by Liliana that she should prevail, as she is entitled to be transferred her ownership interest in the home, based upon the holding in Kuptz-Blinkinsop v. Blinkinsop, 466 P.3d 1271 (2020). In Blinkinsop the Court found that when there is an interest in real property that is granted, the decree is not affected by the 6 year statute of limitations. COURT FINDS in this regard that Liliana's argument is persuasive, and her Motion is hereby GRANTED. COURT FINDS that contemporaneously, Miguel failed to assert his rights to the money judgment owed to him in 2007, which was half of the equity at the time of the parties divorce (alleged by Liliana to be approximately \$5000 after withdrawing equity in a loan, and the housing market crash). This Court has no information or record as it relates to the value of the home in 2007. COURT FURTHER FINDS that Miguel failed to assert his right for this money payment within 6 years of the Decree of Divorce, and is therefore time barred from the ability to assert the right to said monies. COURT HEREBY ORDERS that the Motion filed by Liliana is hereby GRANTED in part; COURT ORDERS the Countermotion is hereby DENIED. Liliana's attorney's fees request may be placed on this Court's calendar in the form of a Motion pursuant to NRCP 54, and supported by the requisite documents and information necessary for the Court to determine the fees which were reasonable and necessary to pursue this action. The hearing presently scheduled for Wednesday September 23, 2020 at 2:00 p.m. is hereby VACATED. Attorney Mills to prepare the Order consistent with this Minute Order. CLERK'S NOTE: On 9/21/20 a copy of the Court's Minute Order was provided to each Attorney via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (mm);*

*Minute Order - No Hearing Held*

09/23/2020

**CANCELED Motion** (2:00 PM) (Judicial Officer: Gentile, Denise L)

*Vacated*

*Liliana Gonzalez's Re-Notice of Motion*

09/23/2020

**CANCELED Opposition & Countermotion** (2:00 PM) (Judicial Officer: Gentile, Denise L)

*Vacated*

*Petitioner Miguel Gonzalez, Opposition to Motion to Enforce Decree of Divorce and Other Related Relief and Countermotion for Attorney's Fees and Cost*

09/23/2020

**CANCELED Hearing** (2:00 PM) (Judicial Officer: Gentile, Denise L)

*Vacated*

*Pltf's Reply to Deft's Opposition to Pltf's Motion to Enforce Decree of Divorce and Other Related Relief and Opposition to Deft's Countermotion for Attorney's Fees*

1 **ORD**

2 BYRON L. MILLS, ESQ.  
3 Nevada Bar#6745  
4 MILLS & ANDERSON  
5 703 S. 8<sup>th</sup> Street  
6 Las Vegas NV 89101  
7 (702) 386-0030  
8 attorneys@millsnv.com  
9 Attorney for Plaintiff

DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA

10 LILIANA C. GONZALEZ nka  
11 LILIANA C. GARCIA

CASE NO.: D-07-376585-Z  
DEPT. NO.: F

12 Plaintiff,

13 v.

14 MIGUEL A. GONZALEZ,

15 Defendant.

16  
17 **ORDER OF THE COURT**

18 Pursuant to Administrative Order 20-17, the Court may issue a decision on  
19 the papers. After review of the pleadings on file, the Court enters its Findings and  
20 Orders in a Minute Order issued September 21, 2020, which is reiterated  
21 hereinbelow. Therefore, the hearing set for September 23, 2020 is vacated.

22 **THE COURT FINDS** that it has personal jurisdiction over the parties and  
23 subject matter jurisdiction over the case.

24 **THE COURT FURTHER FINDS** that a Motion to Enforce Decree of  
25 Divorce and Other Related Relief was filed by Petitioner, Liliana Gonzalez to  
26 enforce the terms of the parties Decree of Divorce which granted her the right to  
27 the marital residence. Respondent, Javier Gonzalez was to sign a Quitclaim Deed  
28 and Liliana was to refinance the home within 3 months.

1           **THE COURT FURTHER FINDS** that Lilian’s Motion was scheduled on  
2 this Court’s calendar on Wednesday September 23, 2020.

3           **THE COURT FURTHER FINDS** that an Opposition to the Motion was  
4 filed alleging that Liliana failed to timely assert her rights to the home, pursuant to  
5 *Davidson v. Davidson*, thus, she no longer had the right to 100% ownership of the  
6 home, and that she was a 50% co-owner with her ex-husband.

7           **THE COURT FURTHER FINDS** that in Miguel’s Opposition, Miguel  
8 argues that he is entitled to 50% of the entirety of the home, even though Liliana  
9 was awarded the home in the Decree, has paid on the mortgage for 13 years and  
10 Miguel has made no financial contribution since the parties divorce. Miguel alleges  
11 that because there has been no quitclaim or refinance, that he is still entitled to assert  
12 his rights to the payment of the equity value of the home from 2007 and of the  
13 entirety of the increase in equity that exists from that date to now.

14           **THE COURT FURTHER FINDS** that it has considered the arguments  
15 from each party, and has weighed the facts and the law.

16           **THE COURT FURTHER FINDS** that it is persuaded by Liliana that she  
17 should prevail, as she is entitled to be transferred her ownership interest in the home,  
18 based upon the holding in *Kuptz-Blinkinsop v. Blinkinsop*, 466 P.3d 1271 (2020). In  
19 *Blinkinsop* the Court found that when there is an interest in real property that is  
20 granted, the decree is not affected by the 6-year statute of limitations.

21           **THE COURT FURTHER FINDS** in this regard that Lilian’s argument is  
22 persuasive, and her Motion is hereby Granted.

23           **THE COURT FURTHER FINDS** that contemporaneously, Miguel failed  
24 to assert his rights to the money judgment owed to him in 2007, which was half of  
25 the equity at the time of the parties’ divorce (alleged by Liliana to be approximately  
26 \$5000 after withdrawing equity in a loan, and the housing market crash). This Court  
27 has no information or record as it relates to the value of the home in 2007.  
28

1           **THE COURT FURTHER FINDS** that Miguel failed to assert his right for  
2 this money payment within six years of the Decree of Divorce and, therefore, is  
3 time barred from the ability to assert the right to said monies.

4           Based on the foregoing and good cause appearing,

5           **IT IS HEREBY ORDERED** that Lilian's Motion to Enforce is granted in  
6 part. Miguel is ordered to sign the Quitclaim Deed in favor of the Plaintiff on 2767  
7 La Canada Street., Las Vegas, Nevada.

8           **IT IS FURTHER ORDERED** Liliana's attorney's fees request may be  
9 placed on this Court's calendar in the form of a Motion pursuant to NRCP 54, and  
10 supported by the requisite documents and information necessary for the Court to  
11 determine the fees which were reasonable and necessary to pursue this action.

12           **IT IS HEREBY ORDERED** that Miguel's Countermotion is denied.

13           **IT IS FURTHER ORDERED** Attorney Mills to prepare the Order  
14 consistent with this Minute Order.

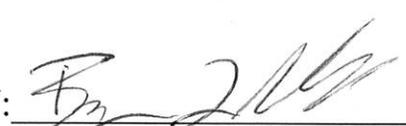
15           DATED this \_\_\_\_\_ day of \_\_\_\_\_ ~~Dated, this~~ <sup>2020</sup> 21st day of October, 2020



18           DISTRICT JUDGE  
19           A89 4A1 F094 6AC6  
20           Denise L Gentile  
21           District Court Judge

19           **Submitted by:**

20           MILLS & ANDERSON

21  
22           BY: 

23           BYRON L. MILLS, ESQ.  
24           Nevada Bar #6745  
25           703 S. 8<sup>th</sup> Street  
26           Las Vegas, Nevada 89101  
27           Attorney for Plaintiff

1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 In the Matter of the Joint Petition | CASE NO: D-07-376585-Z  
7 for Divorce of: |  
8 GONZALEZ, LILIANA C | DEPT. NO. Department F  
9 and GONZALEZ, MIGUEL A |

10 **AUTOMATED CERTIFICATE OF SERVICE**

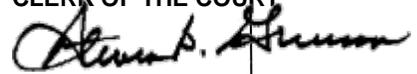
11 This automated certificate of service was generated by the Eighth Judicial District  
12 Court. The foregoing Order was served via the court's electronic eFile system to all  
13 recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 10/21/2020

15 Aaron Grigsby aaron@grigsbylawgroup.com

16 Byron Mills modonnell@millsnv.com

17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



1 **NEO**

2 DANIEL W. ANDERSON, ESQ.  
3 Nevada Bar No. 9955  
4 BYRON L. MILLS, ESQ.  
5 Nevada Bar No. 6745  
6 MILLS & ANDERSON  
7 703 S. 8<sup>TH</sup> STREET  
8 Las Vegas NV 89101  
9 (702) 386-0030  
10 Attorney for Plaintiff  
11 attorneys@millsnv.com

12 **DISTRICT COURT**  
13 **FAMILY DIVISION**  
14 **CLARK COUNTY, NEVADA**

15 LILIANA C. GONZALEZ nka  
16 LILIANA C. GARCIA

17 Plaintiff,

18 v.

19 MIGUEL A. GONZALEZ,

20 Defendant.

21 CASE NO.: D-07-376585-Z  
22 DEPT. NO.: F

23 **NOTICE OF ENTRY OF ORDER**

24 **TO: ALL PARTIES IN INTEREST**

25 **YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE** that  
26 pursuant to **N.R.C.P. Rule 58**, an **ORDER OF THE COURT** was entered in the  
27 above-entitled matter on October 21, 2020, a copy of which is attached hereto.

28 DATED this 21 day of October, 2020.

MILLS & ANDERSON



BYRON L. MILLS, ESQ.

Bar No. 6745  
703 South Eighth Street  
Las Vegas, Nevada 89101  
Attorney for Plaintiff

1 Gonzalez  
2 D-07-376585-Z

3 **CERTIFICATE OF SERVICE**

4 I hereby certify that I am an employee of MILLS & ANDERSON and that  
5 on the 22<sup>nd</sup> day of October, service of the **NOTICE OF ENTRY OF ORDER**  
6 **and ORDER** was made by:

7 1. Via Electronic Service to:

8 aaron@grigsbylaw.com

9  
10 2. Via e-mail to:

11 Liliana Garcia: (lilicg72@yahoo.com)

12  
13   
14 \_\_\_\_\_  
15 MARY O'DONNELL, an employee  
16 of MILLS & ANDERSON  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

*Alvina S. Garcia*  
CLERK OF THE COURT

1 **ORD**

2 BYRON L. MILLS, ESQ.  
3 Nevada Bar#6745  
4 MILLS & ANDERSON  
5 703 S. 8<sup>th</sup> Street  
6 Las Vegas NV 89101  
7 (702) 386-0030  
8 attorneys@millsnv.com  
9 Attorney for Plaintiff

8 DISTRICT COURT  
9 FAMILY DIVISION  
10 CLARK COUNTY, NEVADA

10 LILIANA C. GONZALEZ nka )  
11 LILIANA C. GARCIA )

CASE NO.: D-07-376585-Z  
DEPT. NO.: F

12 Plaintiff,

13 v.

14 MIGUEL A. GONZALEZ,

15 Defendant.  
16

17 **ORDER OF THE COURT**

18 Pursuant to Administrative Order 20-17, the Court may issue a decision on  
19 the papers. After review of the pleadings on file, the Court enters its Findings and  
20 Orders in a Minute Order issued September 21, 2020, which is reiterated  
21 hereinbelow. Therefore, the hearing set for September 23, 2020 is vacated.

22 **THE COURT FINDS** that it has personal jurisdiction over the parties and  
23 subject matter jurisdiction over the case.

24 **THE COURT FURTHER FINDS** that a Motion to Enforce Decree of  
25 Divorce and Other Related Relief was filed by Petitioner, Liliana Gonzalez to  
26 enforce the terms of the parties Decree of Divorce which granted her the right to  
27 the marital residence. Respondent, Javiar Gonzalez was to sign a Quitclaim Deed  
28 and Liliana was to refinance the home within 3 months.

1           **THE COURT FURTHER FINDS** that Lilian's Motion was scheduled on  
2 this Court's calendar on Wednesday September 23, 2020.

3           **THE COURT FURTHER FINDS** that an Opposition to the Motion was  
4 filed alleging that Liliana failed to timely assert her rights to the home, pursuant to  
5 *Davidson v. Davidson*, thus, she no longer had the right to 100% ownership of the  
6 home, and that she was a 50% co-owner with her ex-husband.

7           **THE COURT FURTHER FINDS** that in Miguel's Opposition, Miguel  
8 argues that he is entitled to 50% of the entirety of the home, even though Liliana  
9 was awarded the home in the Decree, has paid on the mortgage for 13 years and  
10 Miguel has made no financial contribution since the parties divorce. Miguel alleges  
11 that because there has been no quitclaim or refinance, that he is still entitled to assert  
12 his rights to the payment of the equity value of the home from 2007 and of the  
13 entirety of the increase in equity that exists from that date to now.

14           **THE COURT FURTHER FINDS** that it has considered the arguments  
15 from each party, and has weighed the facts and the law.

16           **THE COURT FURTHER FINDS** that it is persuaded by Liliana that she  
17 should prevail, as she is entitled to be transferred her ownership interest in the home,  
18 based upon the holding in *Kuptz-Blinkinsop v. Blinkinsop*, 466 P.3d 1271 (2020). In  
19 *Blinkinsop* the Court found that when there is an interest in real property that is  
20 granted, the decree is not affected by the 6-year statute of limitations.

21           **THE COURT FURTHER FINDS** in this regard that Lilian's argument is  
22 persuasive, and her Motion is hereby Granted.

23           **THE COURT FURTHER FINDS** that contemporaneously, Miguel failed  
24 to assert his rights to the money judgment owed to him in 2007, which was half of  
25 the equity at the time of the parties' divorce (alleged by Liliana to be approximately  
26 \$5000 after withdrawing equity in a loan, and the housing market crash). This Court  
27 has no information or record as it relates to the value of the home in 2007.

28

1           **THE COURT FURTHER FINDS** that Miguel failed to assert his right for  
2 this money payment within six years of the Decree of Divorce and, therefore, is  
3 time barred from the ability to assert the right to said monies.

4           Based on the foregoing and good cause appearing,

5           **IT IS HEREBY ORDERED** that Lilian's Motion to Enforce is granted in  
6 part. Miguel is ordered to sign the Quitclaim Deed in favor of the Plaintiff on 2767  
7 La Canada Street., Las Vegas, Nevada.

8           **IT IS FURTHER ORDERED** Liliana's attorney's fees request may be  
9 placed on this Court's calendar in the form of a Motion pursuant to NRCPC 54, and  
10 supported by the requisite documents and information necessary for the Court to  
11 determine the fees which were reasonable and necessary to pursue this action.

12           **IT IS HEREBY ORDERED** that Miguel's Countermotion is denied.

13           **IT IS FURTHER ORDERED** Attorney Mills to prepare the Order  
14 consistent with this Minute Order.

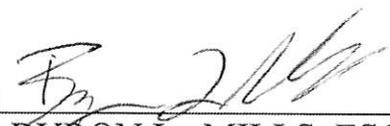
15           DATED this \_\_\_\_\_ day of \_\_\_\_\_ ~~Dated this 21st~~ <sup>2020</sup> day of October, 2020

16  
17 

18 \_\_\_\_\_  
19 DISTRICT JUDGE  
20 A89 4A1 F094 6AC6  
21 Denise L. Gentile  
22 District Court Judge

19 **Submitted by:**

20 MILLS & ANDERSON

21  
22 BY: 

23 \_\_\_\_\_  
24 BYRON L. MILLS, ESQ.  
25 Nevada Bar #6745  
26 703 S. 8<sup>th</sup> Street  
27 Las Vegas, Nevada 89101  
28 Attorney for Plaintiff

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 In the Matter of the Joint Petition  
for Divorce of:

CASE NO: D-07-376585-Z

7  
8 GONZALEZ, LILIANA C  
and GONZALEZ, MIGUEL A

DEPT. NO. Department F

9  
10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District  
12 Court. The foregoing Order was served via the court's electronic eFile system to all  
13 recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 10/21/2020

15 Aaron Grigsby

aaron@grigsbylawgroup.com

16 Byron Mills

modonnell@millsnv.com

17

18

19

20

21

22

23

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28

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Joint Petition**

**COURT MINUTES**

May 02, 2011

D-07-376585-Z

In the Matter of the Joint Petition for Divorce of:  
GONZALEZ, LILIANA C and GONZALEZ, MIGUEL A

**May 02, 2011**

**9:30 AM**

**Motion to Modify  
Custody**

**HEARD BY:** Gonzalez, William B

**COURTROOM:** Courtroom 03

**COURT CLERK:** Kathleen Boyle

**PARTIES:**

Catherine Gonzalez, Subject Minor, not present

GONZALEZ, LILIANA C, Petitioner, present Pro Se

GONZALEZ, MIGUEL A, Petitioner, not present Aaron Grigsby, Attorney, not present

Michael Gonzalez, Subject Minor, not present

**JOURNAL ENTRIES**

- LILIANA GONZALEZ'S MOTION TO MODIFY CUSTODY, VISITATION AND /OR CHILD SUPPORT

Petitioner, Miguel Gonzalez, did not make an appearance when this matter was called. The Court noted Ms. Gonzalez had filed a Certificate of Mailing in this matter as proof of service.

Upon Court's inquiry, Ms. Gonzalez stated Mr. Gonzalez spent very little time with the minor children. The Court explained to Petitioner if the child support was modified based on her current petition, the change would be based on the order issued in the Decree, which indicated the parties were sharing equal custody of the minor child. The Court suggested Ms. Gonzalez submit an amended order requesting custody be modified.

COURT ORDERED, MATTER OFF CALENDAR.

PRINT DATE:	10/26/2020	Page 1 of 6	Minutes Date:	May 02, 2011
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

PRINT DATE:	10/26/2020	Page 2 of 6	Minutes Date:	May 02, 2011
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Joint Petition**

**COURT MINUTES**

September 19, 2011

D-07-376585-Z

In the Matter of the Joint Petition for Divorce of:  
GONZALEZ, LILIANA C                      and GONZALEZ, MIGUEL A

**September 19,  
2011**

**9:30 AM**

**Motion to Modify  
Visitation**

**HEARD BY:** Gonzalez, William B

**COURTROOM:** Courtroom 03

**COURT CLERK:** Julie Richmond

**PARTIES:**

Catherine Gonzalez, Subject Minor, not present

GONZALEZ, LILIANA C, Petitioner, present

Adriana Rincon, Attorney, present

GONZALEZ, MIGUEL A, Petitioner, not present

Aaron Grigsby, Attorney, not present

present

Michael Gonzalez, Subject Minor, not present

**JOURNAL ENTRIES**

- Court noted, no appearance by the Defendant. Plaintiff sworn and testified.

Plaintiff stated, she last saw the Defendant in June for the last court date. Plaintiff explained, she tried to talk to him about child support but he refused to discuss it. Also stated, Defendant has not been following the visitation schedule and has only given her \$200.00 towards child support.

Ms. Rincon represented, Defendant has owned Giovanni's Restaurant since February 2011. Ms. Rincon requested the Court impute the Nevada General Wage of \$3,475.00 per month.

COURT ORDERED,

It appears Mom has had de facto primary physical custody of the minor children.

The Court will impute the Nevada General Wage against the Defendant to set child support at \$850.00 per month which would be 25% of his gross monthly income, as of August 2011.

PRINT DATE:	10/26/2020	Page 3 of 6	Minutes Date:	May 02, 2011
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

The Court will award Plaintiff the sum of \$1,700.00 in child support arrears. Beginning October 1, 2011, Defendant shall pay Plaintiff \$850.00 per month as child support and an ADDITIONAL \$200.00 per month towards child support arrears until the arrears are paid in full.

Defendant shall have visitation every other weekend from Friday's through Sunday's. If he wants more visitation, he must File a Motion with the Court.

Plaintiff AWARDED \$1,250.00 for Attorney's fees.

Ms. Rincon shall prepare the Order for today's hearing.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Joint Petition****COURT MINUTES**

September 21, 2020

D-07-376585-Z

In the Matter of the Joint Petition for Divorce of:

GONZALEZ, LILIANA C

and GONZALEZ, MIGUEL A

**September 21,  
2020****8:00 AM****Minute Order****HEARD BY:** Gentile, Denise L**COURTROOM:** Chambers**COURT CLERK:** Melissa McCulloch**PARTIES:**Catherine Gonzalez, Subject Minor, not  
presentGONZALEZ, LILIANA C, Petitioner, not  
presentGONZALEZ, MIGUEL A, Petitioner, not  
present

Michael Gonzalez, Subject Minor, not present

Byron Mills, Attorney, not present

Aaron Grigsby, Attorney, not present

<b>JOURNAL ENTRIES</b>
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- NRCP 1 and EDCR 1.10 state the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to Administrative Order 20-17, this Court may issue a decision on the papers.

COURT FINDS that a Motion to Enforce Decree of Divorce and Other Related Relief was filed by Petitioner Liliana Gonzalez to enforce the terms of the parties Decree of Divorce which granted her the right to the marital residence; she was to receive a quitclaim deed and she was to refinance the home within 3 months. COURT FINDS that the Motion was scheduled on this Court s calendar on Wednesday September 23, 2020.

COURT FINDS that an Opposition to the Motion was filed alleging that Liliana failed to timely assert her rights to the home, pursuant to Davidson v. Davidson, thus, she no longer had the right to 100% ownership of the home, and that she was a 50% co-owner with her ex-husband. COURT FINDS that in his Opposition, Miguel argues that he is entitled to 50% of the entirety of the home, even though

PRINT DATE:	10/26/2020	Page 5 of 6	Minutes Date:	May 02, 2011
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

Liliana was awarded the home in the Decree, has paid on the mortgage for 13 years, and he has paid nothing on the home, since the parties divorce; Miguel alleges that because there has been no quitclaim or refinance, that he is still entitled to assert his rights to the payment of of the equity value of the home from 2007 and of the entirety of the increase in equity that exists from that date to now. Liliana s Reply cited the most recent case which refutes Miguel s argument.

COURT FINDS that it has considered the arguments from each party, and has weighed the facts and the law. COURT FINDS that it it persuaded by Liliana that she should prevail, as she is entitled to be transferred her ownership interest in the home, based upon the holding in Kuptz-Blinkinsop v. Blinkinsop, 466 P.3d 1271 (2020). In Blinkinsop the Court found that when there is an interest in real property that is granted, the decree is not affected by the 6 year statute of limitations.

COURT FINDS in this regard that Lilian s argument is persuasive, and her Motion is hereby GRANTED. COURT FINDS that contemporaneously, Miguel failed to assert his rights to the money judgment owed to him in 2007, which was half of the equity at the time of the parties divorce (alleged by Liliana to be approximately \$5000 after withdrawing equity in a loan, and the housing market crash). This Court has no information or record as it relates to the value of the home in 2007. COURT FURTHER FINDS that Miguel failed to assert his right for this money payment within 6 years of the Decree of Divorce, and is therefore time barred from the ability to assert the right to said monies.

COURT HEREBY ORDERS that the Motion filed by Liliana is hereby GRANTED in part; COURT ORDERS the Countermotion is hereby DENIED.

Liliana s attorney s fees request may be placed on this Court s calendar in the form of a Motion pursuant to NRCP 54, and supported by the requisite documents and information necessary for the Court to determine the fees which were reasonable and necessary to pursue this action.

The hearing presently scheduled for Wednesday September 23, 2020 at 2:00 p.m. is hereby VACATED.

Attorney Mills to prepare the Order consistent with this Minute Order.

CLERK S NOTE: On 9/21/20 a copy of the Court s Minute Order was provided to each Attorney via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (mm)

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

PRINT DATE:	10/26/2020	Page 6 of 6	Minutes Date:	May 02, 2011
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**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

**AARON D. GRIGSBY, ESQ.**  
**2880 W. SAHARA AVE.**  
**LAS VEGAS, NV 89102**

**DATE: October 26, 2020**  
**CASE: D-07-376585-Z**

**RE CASE:** In the Matter of the Joint Petition for Divorce of: LILIANA C. GONZALEZ nka LILIANA CAROLINA GARCIA and MIGUEL A. GONZALEZ

NOTICE OF APPEAL FILED: October 22, 2020

**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 court.*
- Case Appeal Statement
  - NRAP 3 (a)(1), Form 2
- Order
- Notice of Entry of Order

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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.*

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*\*\*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):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER OF THE COURT; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

In the Matter of the Joint Petition for Divorce of:

LILIANA C. GONZALEZ nka LILIANA  
CAROLINA GARCIA and MIGUEL A.  
GONZALEZ,

Petitioner(s),

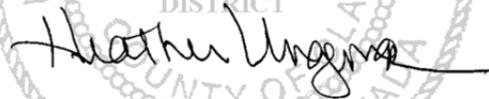
Case No: D-07-376585-Z

Dept No: F

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 26 day of October 2020.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

