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**IN THE SUPREME COURT OF THE  
STATE OF NEVADA**

Electronically Filed  
Oct 12 2021 04:53 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**CHRISTINA CALDERON f/k/a  
CHRISTINA CALDERON STIPP,**

Appellant,

v.

**MITCHELL STIPP,**

Respondent.

Supreme Court No. 81888

District Court Case No.: D-08-389203-Z

Dept. No.: E

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**MOTION FOR EXTENSION OF TIME TO FILE FAST TRACK RESPONSE**

LAW OFFICE OF MITCHELL STIPP<sup>1</sup>  
MITCHELL STIPP, ESQ. (Nevada Bar No. 7531)  
1180 N. Town Center Drive, Suite 100  
Las Vegas, Nevada 89144  
Telephone: 702.602.1242  
[mstipp@stiplaw.com](mailto:mstipp@stiplaw.com)

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<sup>1</sup> Radford Smith, Esq., remains co-counsel of record for Respondent, Mitchell Stipp.

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2 **I. STATEMENT OF FACTS/PROCEDURAL HISTORY**

3 1. The parties, Christina Calderon (“Christina”), and Mitchell Stipp  
4 (“Mitchell”), filed a joint petition for divorce and were granted that relief pursuant to a  
5 stipulated decree on or about March 5, 2008 (“Decree”). The Decree incorporated the  
6 terms and conditions of a marital settlement agreement dated February 20, 2008  
7 (“MSA”). In the MSA, the parties agreed to have joint physical and legal custody over  
8 their minor children, Mia Elena Stipp (DOB, 10/19/2004, Age: 16) and Ethan  
9 Christopher Stipp (DOB, 3/24/2004, Age: 14).  
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12 2. Post-divorce litigation began on December 17, 2008, when Christina filed  
13 a motion to confirm herself as the primary physical custodian of the children. That  
14 litigation, together with ancillary motions concerning the mental health of the children,  
15 their schooling (private vs. public), Mitchell’s child support obligations, and the right of  
16 first refusal to care for the children (when Christina returned to work), lasted  
17 approximately five (5) years before Judge Frank Sullivan and Judge William Potter and  
18 several appeals before this Court.  
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22 3. The parties finally settled their disputes in a stipulation and order entered  
23 by the court on July 2, 2014 (“2014 Parenting Plan”). Pursuant to the Parenting Plan,  
24 the parties agreed that they would have joint physical and legal custody over their  
25 children with a 50-50 timeshare split (7/7 schedule—one week on/off). There is no  
26 dispute that the physical custody relationship as set forth in the 2014 Parenting Plan and  
27 exercised by the parties at all relevant times was joint.  
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1           4.     There were at least **two (2) instances of domestic violence** involving  
2 Mia—one occurred on or about **May of 2019** and the other on or about **August of 2019**.  
3 After Mia and Ethan refused to return to Christina’s care on August 23, 2019, Mitchell  
4 filed a motion before the district court on August 26, 2019 seeking interviews of the  
5 children by Family Mediation Center (“FMC”), for mediation and to permit the children  
6 to exercise teenage discretion within the limits of joint physical custody. This motion  
7 was later supplemented by a countermotion for primary physical custody and request  
8 for teenage discretion filed by Mitchell on October 21, 2019.  
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11           5.     On October 1, 2019, the district court ordered the parties’ children to be  
12 interviewed by FMC and set a returned date for November 12, 2019. On October 22,  
13 2019, the district court referred the parties to Donna’s House for supervised custodial  
14 exchanges. m’Ryah Littleton at FMC interviewed the children on October 23, 2019  
15 and prepared a written report which was provided to the district court. The case at  
16 Donna’s House was closed after the children refused on two (2) separate occasions to  
17 be transitioned into Christina’s physical custody.  
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21           6.     At the hearing on November 12, 2019, the district court reviewed the report  
22 from Donna’s House (which confirmed the termination of services) and the report by  
23 Ms. Littleton from FMC. As a result, the court ordered an evidentiary hearing under  
24 **Rooney v. Rooney**, 109 Nev. 540, 853 P.2d 123 (1993). There was adequate cause.  
25

26           7.     After three (3) full days of trial (January 23, 2020, March 5, 2020, and  
27 August 27, 2020), the district court issued its findings of fact, conclusions of law and  
28 order on or about September 17, 2020 (“2020 Custodial Order”). The court awarded

1 Mitchell primary physical custody of Mia and confirmed Mitchell and Christina as joint  
2 physical custodians of Ethan with a 50/50 timeshare (7/7 split).

3 8. After the 2020 Custodial Order was entered, Mitchell and Christina agreed  
4 that Mia could exercise teenage discretion with respect to time spent with Christina.  
5 Ethan has been spending time with Christina generally in accordance with the schedule  
6 ordered by the court.  
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8 9. Christina filed on September 28, 2020 a notice of appeal of the 2020  
9 Custodial Order.  
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13 **II. THERE IS EXTREME NEED OR MERIT TO EXTEND THE**  
14 **DEADLINE TO FILE A FAST-TRACK RESPONSE.**  
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17 Christina filed a motion to extend the time to file her fast-track statement and  
18 appendix on June 17, 2021. See Dkt. 21-17469. This Court granted the request on  
19 June 25, 2021 and extended the deadline for ninety (90) days. See Dkt. 21-18365.  
20 Christina filed her fast-track statement on September 20, 2021 and an Appendix  
21 which constitutes twelve (12) volumes. See Dkt. 21-27178 through 21-27190.  
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25 This appeal was removed from the settlement program on May 10, 2021. See  
26 Dkt. 21-13318. With the extension, Christina was provided approximately four (4)  
27 months to prepare her fast-track statement and appendix. Further, NRAP 3E(4)  
28 requires the parties “to confer and attempt to reach an agreement concerning a

1 possible joint appendix to be filed with the fast track statement.” Christina’s counsel  
2 did not make any attempts to confer with the undersigned or his co-counsel, Radford  
3 Smith, Esq., on a joint appendix. The failure to meet and agree on a joint appendix  
4 means the undersigned may need to prepare a separate appendix.  
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7 For the above reasons, the undersigned respectfully requests thirty (30) days  
8 from October 18, 2021 to file his fast-track response and appendix. Such request  
9 complies with NRAP 3E(f)(3).  
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13 LAW OFFICE OF MITCHELL STIPP

14 */s/ Mitchell Stipp*

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16 MITCHELL STIPP, ESQ.  
17 Nevada Bar No. 7531  
18 1180 N. Town Center Drive, Suite 100  
19 Las Vegas, Nevada 89144  
20 Telephone: 702.602.1242  
21 [mstipp@stiplaw.com](mailto:mstipp@stiplaw.com)  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 12th day of October, 2021, I filed the foregoing  
**MOTION FOR EXTENSION OF TIME TO FILE FAST TRACK RESPONSE,**  
using the Court’s electronic filing system, which provided notice to the following:

Aaron D. Grigsby, Esq.  
Grigsby Law Group  
2880 W. Sahara Ave  
Las Vegas, Nevada 89102

*/s/ Mitchell Stipp*

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Law Office of Mitchell Stipp