

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

2  
3   IN THE MATTER OF THE GUARDIANSHIP   No. 83967  
4   OF THE PERSON AND ESTATE OF  
5   KATHLEEN JUNE JONES, AN ADULT  
6   PROTECTED PERSON,

Electronically Filed  
Jun 23 2022 10:37 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

7  
8   KATHLEEN JUNE JONES,

9                   Appellant,

10   *vs.*

11   ROBYN FRIEDMAN; AND DONNA  
12   SIMMONS,

13                   Respondents.

14                                   **APPEAL**

15  
16                   From the Eighth Judicial District Court, Clark County  
17                   The Honorable Linda Marquis, District Judge  
18                   District Court Case No. G-19-052263-A

19                                   **APPELLANT'S APPENDIX**

20                                   Scott Cardenas  
21                                   Nevada Bar No. 14851  
22                                   Elizabeth Mikesell  
23                                   Nevada Bar No. 08034  
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28                   *Attorneys for Appellant*

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APPELLANT’S APPENDIX: VOLUME II



perform. In addition LANDLORD has all right to enter pursuant to Civil Code Section 1954. If the work performed requires that TENANT temporarily vacate the unit, then TENANT shall vacate for this temporary period upon being served a 7 days notice by LANDLORD. TENANT agrees that in such event that TENANT will be solely compensated by a corresponding reduction in rent for those many days that TENANT was temporarily displaced. If the work to be performed requires the cooperation of TENANT to perform certain tasks, then those tasks shall be included in the written 24 hour notice LANDLORD. (EXAMPLE -removing food items from cabinets so that the unit may be sprayed for pests)

**15. REPAIRS BY LANDLORD:** Where a repair is the responsibility of the LANDLORD, TENANT must notify LANDLORD with a written notice stating what item needs servicing or repair. TENANT must give LANDLORD a reasonable opportunity to service or repair said item. TENANT acknowledges that rent will not be withheld unless a written notice has been served on LANDLORD giving LANDLORD a reasonable time to fix said item within the meaning of Civil Code Section 1942. Under no circumstances may TENANT withhold rent unless said item constitutes a substantial breach of the warrantee of habitability as stated in Code of Civil Procedure Section 1174.2.

**16. PETS:** The tenant shall be allowed to have domestic pets on the property consisting of not more than 2 dogs at a maximum weight of 40 pounds. Landlord shall be held harmless in the event of any tenants pet causing harm, injury, death, or sickness to another individual or animal. Tenant is responsible and liable for any damage, required cleaning to the property caused by any authorized or an authorized animal and for all cost landlord may ensure in removing or causing any animal to be removed. Tenant is required to report all animals on the property to tenants required insurance company. Tenant has the following pets at move in:

**17. FURNISHINGS:** No liquid filled furniture of any kind may be kept on the premises. If the structure was built in 1973 or later TENANT may possess a waterbed if he maintains waterbed insurance valued at \$100,000 or more. TENANT must furnish LANDLORD with proof of said insurance. TENANT must use bedding that complies with the load capacity of the manufacturer. In addition, TENANT must also be in full compliance with Civil Code Section 1940.5.

**18. INSURANCE:** TENANT must maintain a personal property insurance policy to cover injury and losses sustained to TENANT'S and guest of TENANTS person, personal property or vehicle. TENANTS renters insurance policy acknowledges domestic pets on premises. It is acknowledged that LANDLORD does not maintain this insurance to cover personal property damage or loss caused by fire, theft, rain, water overflow/leakage, acts of GOD, and/or any other causes. It is acknowledged that LANDLORD is not liable for these occurrences. It is acknowledged that TENANT'S insurance policy shall solely indemnify TENANT for any losses sustained. TENANT'S failure to maintain said policy shall be a complete waiver of TENANT'S right to seek damages against LANDLORD for the above stated losses. The parties acknowledge that the premises are not to be considered a security building which would hold LANDLORD to a higher degree of care. Tenants renters insurance is held with: [REDACTED] Policy # [REDACTED]  
TENANT has provided landlord with renters insurance policy.

**19. TERMINATION OF LEASE/RENTAL AGREEMENT:** If this lease is based on a fixed term, pursuant to paragraph 2, then at the expiration of said fixed term this lease shall become a month to month tenancy upon the written approval of LANDLORD. Where said term is a month to month tenancy, either party may terminate this tenancy by the serving of a 30 day written notice.

**20. ATTORNEYS FEES:** Should it become necessary for landlord to employee and attorney to enforce any of the conditions are covered here of, including the collection of rentals or gaining possession of the property, tenant agrees to pay all expenses incurred including reasonable attorneys fees

**21. CONSEQUENCES OF DEFAULT/EARLY TERMINATION:** if tenant fails to comply with any of the material provisions of this agreement, other than the covenant to pay rent, or with any present rules and regulations or any that may be here after prescribed by landlord, or fails to comply with any duties imposed on tenant by statute, tenant shall be considered in breach of this agreement. If tenant is in breach, landlord may provide  
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written documentation specifying the noncompliance and indicating the intention of landlord to terminate this agreement upon a date not less than 30 days after the receipt of the notice if breach is not remedied by such date. However if tenant fails to pay rent when due Landlord may provide written notice with a seven day pay rent or quit document, whereupon the tenant may pay the entire balance of rent due or surrender the premises by the expiration of the seven day period.

**22. SURRENDER OF PREMISES:** upon the expiration of the agreement here of, tenant shall return the premises in the same state of cleanliness and condition as they were at the commencement of this agreement, reasonable use and where in tear there of and damages by the elements excepted. Tenant shall surrender all keys or opening devices to premises, vacate premises and remove all personal belongings, vacant parking spaces and provide written notice of a forwarding address.

**23. POSSESSION:** If premises cannot be delivered to TENANT on the agreed date due to loss, total or partial destruction of the premises, or failure of previous TENANT to vacate, either party may terminate this agreement upon written notice to the other party at their last known address. It is acknowledged that either party shall have no liability to each other except that all sums paid to LANDLORD will be immediately refunded to TENANT.

**24. ABANDONMENT:** It shall be deemed a reasonable belief by the LANDLORD that an abandonment of the premises has occurred where the, within the meaning of Civil Code Section 1951.2, where rent has been unpaid for 14 consecutive days and the TENANT has been absent from unit for 14 consecutive days. In that event, LANDLORD may serve written notice pursuant to Civil Code Section 1951.2. If TENANT does not comply with the requirements of said notice in 18 days, the premises shall be deemed abandoned.

**25. UTILITIES:** To the extent permitted by applicable utility service providers, Tenant shall transfer all utility accounts into Tenant's name promptly upon taking possession of the Premises. Tenant shall pay, prior to delinquency, for all utilities (including, without limitation, gas, electricity, water, sewer and trash), and for cable, internet and other similar services to the Premises, as applicable, regardless of whose name the accounts are in. Landlord makes no representation or warranty as to any utilities or services and shall not bear any responsibility or liability in connection with such utilities or services, including but not limited to liability for service interruptions.

**26. LANDLORD SHALL NOT BE LIABLE:** Landlord shall not be liable for any damages or losses to Tenant, its occupants, guests, invitees or other persons regardless of the cause therefore, unless caused by the gross negligence or willful misconduct of Landlord. Tenant shall indemnify, defend and hold Landlord harmless from any and all loss, damage or claims of any type due to the actions of Tenant, its occupants, guests or other invitees resulting in damage to any person or property. Landlord shall not be liable for personal injury or damages or loss of Tenant's personal property (furniture, jewelry, clothing, etc.) due to theft, vandalism, fire, water, rain, hail, smoke, explosions, sonic booms or other causes whatsoever, including the negligence of Landlord, whether occurring at the Premises, or within or about the exterior yard area located at the residence. Tenant shall secure renter's insurance to protect Tenant against liabilities and occurrences. Landlord will not be responsible to provide any services such as moving vehicles, handling furniture, cleaning, delivering packages, or any other services.

**27. TERMINATION OF LEASE/BUYOUT AGREEMENT:** Minimum notice for tenant to request an early termination of lease is 60 days. Notice must be written and signed by all tenants involved in termination. The cost of the early termination fee is \$ 5,000 Landlord will officially consider the lease terminated after receipt of the signed notice and early termination fee received. All other rent for prior months or charges owed will be paid prior to the tenants vacating. If tenant Does not follow the process, they keep before the agreed-upon date, pay the termination fee, pay other and crude charges, or any combination of the latter, the attempted early termination will be void in every other aspect of the lease will apply.

**28. WAIVER:** LANDLORD'S failure to require compliance with the conditions of this agreement, or to exercise any right provided herein, shall not be deemed a waiver by LANDLORD of such condition or right. LANDLORD'S acceptance of rent with knowledge of any default under agreement by TENANT shall not be

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deemed a waiver of such default, nor shall it limit LANDLORD'S rights with respect to that or any subsequent right. If is further agreed between the parties that the payment of rent at any time shall not be a waiver to any UNLAWFUL DETAINER action unless LANDLORD in writing specifically acknowledges that this constitutes a waiver to the UNLAWFUL DETAINER action.

**29. VALIDITY/SEVERABILITY:** If any provision of this agreement is held to be invalid, such invalidity shall not affect the validity or enforceability of any other provision of this agreement.

**30. ATTORNEY FEES:** In the event action is brought by any party to enforce any terms of this agreement or to recover possession of the premises, the prevailing party shall recover from the other party reasonable attorney fees. It is acknowledged, between the parties, that jury trials significantly increase the costs of any litigation between the parties. It is also acknowledged that jury trials require a longer length of time to adjudicate the controversy. On this basis, all parties waive their rights to have any matter settled by jury trial.

**31. NOTICES:** All notices to the tenant shall be deemed served upon mailing by first class mail, addressed to the tenant, at the subject premises or upon personal delivery to the premises whether or not TENANT is actually present at the time of said delivery. All notices to the landlord shall be served by mailing first class mail to: June Jones 6277 Kraft Ave Las Vegas, Nv. 89130.

**32.TEXT AND EMAIL NOTIFICATIONS:** LANDLORD and TENANT agree that communication by text or email shall serve as legal notice in the following circumstances only: Repair requests, Owner's Notice to Enter and reminders of repairs being made, emergency repairs, and or warnings of suspicious activity on the premises.

LANDLORD Text Number: 714-336-8071 TENANT Text Number: [REDACTED]

Flyonthewall2you@gmail.com

LANDLORD Email Address: [REDACTED] TENANT Email Address: [REDACTED]

**32. ADDENDUMS:** TENANT agrees to written addendums to this contract with LANDLORD and TENANT signature. Initial: cy

**33. PERSONAL PROPERTY OF TENANT:** Once TENANT vacates the premises, the LANDLORD shall store all personal property left in the unit for 3 days. If within that time period, TENANT does not claim said property, LANDLORD may dispose of said property in accordance with applicable law. Initial: cy

**34. ADDITIONAL RENT:** All items owed under this agreement shall be deemed additional rent. Initial: cy

**35. APPLICATION:** All statements in TENANT'S application must be true or this will constitute a material breach of this lease. Initial: cy

**DISCLOSURES/NOTIFICATIONS/ADDENDUMS:**

**TENANT** acknowledges receipt of the following, which shall be deemed a part of this Agreement:

- ☒ Information About Bed Bugs
- ☒ Flood Disclosure Addendum
- ☒ Lead-Based Paint Disclosure
- ☒ Bug Addendum
- ☒ Move-in/Move-out Inspection
- ☒ Pet Agreement/Comfort Animal
- ☒ Smoke Detector Addendum
- ☒ Mold Addendum
- ☒ Smoke-Free Addendum
- ☒ Parking Agreement
- ☒ Statewide Rent Control Addendum
- ☒ House Keys



**DATABASE/MEGANS LAW/SEX OFFENDER REGISTRY:** The California Department of Justice, sheriff's departments, police departments serving jurisdictions of 200,000 or more and many other local law enforcement authorities maintain for public access a data base of the locations of persons required to register pursuant to paragraph (1) of subdivision (a) of Section 290.4 of the Penal Code. The database is updated on a quarterly basis and a source of information about the presence of these individuals in any neighborhood. The Department of Justice also maintains a Sex Offender Identification Line through which inquiries about individuals may be made. This is a "900" telephone service. Callers must have specific information about individuals they are checking. Information regarding neighborhoods is not available through the "900" telephone service. Initial: Gj

**ORDINANCES AND STATUTES; CC&RS; SUBORDINATE; LEAD PAINT:** Tenant shall comply with all applicable laws, codes, and regulations of all municipal, State and Federal authorities. Tenant shall be subject to and shall comply with all rules and regulations set forth in any Covenants, Conditions and Restrictions ("CC&Rs") or other similar documents affecting the Premises, copies of which have been provided to Tenant, if applicable. This Agreement is and shall be subordinate to the lien of any mortgage now or hereafter in effect with regard to the Premises. To Landlord's knowledge, this house was built before 1978. By signing this Agreement, Tenant acknowledges that it has received the Lead-Based Paint Disclosure and Pamphlet provided by Landlord pursuant to law. Lessor has no knowledge of lead-based paint and or lead-based paint hazards on the premises. Lessor has no records or reports pertaining to lead-based paint or lead-based paint hazards on the premises. Lessee's Has received copies of all information listed above, Lessee's has received the pamphlet protect your family from lead in your home. Initial: Gj

**MOLD:** The landlord asserts that the tenants have inspected the premises prior to occupancy and knows of NO mildew or mold contamination to know wet or damp building materials that contribute to the formation of mildew or mold. Tenant recognizes that mold and mildew can grow if the premises are not properly maintained by the tenant. If moisture gathers within the premises, it may cause mold and mildew to accumulate and grow. If tenant discovers the existence of mold or mildew on the premises, leaks or conditions under which moisture may gather, tenant shall notify the lease or promptly so the lease or may take action. Tenant shall keep it maintained the premises or apparatus is in good and sanitary condition and repair during the term of this agreement and any renewal therefore, in order to retard and prevent the growth of mold or mildew. These responsibilities include, but are not limited to: tenant shall remove dirt or debris that may contribute to a mold infestation, tenant shall promptly report to the lease or any occurrence of mold or mildew, tenant should clean and dry any visible moisture on surfaces including windows, 's walls, ceilings, floors, furniture. Tenant shall promptly notify the lease or if air-conditioning or heating systems experience any problems, refrain from blocking air conditioner and heating ducts, and use vents and fans during cooking, bathing, dish washing. Tenant shall promptly notify the lease sort of plumbing leaks, drips, water spills and overflows which permeate the walls, carpets, floors and other surfaces that may harbor the growth of mold or mildew. Tenant agrees to open curtains, blinds to allow light into the premise, tenant agrees to hereby agrees to identify, defend and hold Lisa harmless from any and all claims are assertions of every kind and nature which arise from tenants or gas refusal or negligence to maintain the premises in a sanitary conditioner comply with the term of this mold addendum. If tenant fails to comply with of the mold addendum, it is a material breach of the lease agreement. In the event there is a conflict between this mold agreement and the lease agreement, the terms of the mold agreement shall govern. Initial: Gj

**SMOKE DETECTORS AND CARBON MOXIDE DETECTOR:** The premises were delivered to the tenants with installed and functional smoke and carbon monoxide detector through devices. Tenant acknowledges the smoke and carbon monoxide detectors were tested, their operation explained by landlord at the time of initial occupancy and that the detectors in the home were working properly at the time. Tenant shall perform the manufactures recommended test to determine if the smoke and carbon monoxide detectors are operating properly at least once a month. Each tenant understands that the smoke and carbon monoxide detectors are battery operated and it shall be the tenants responsibility To ensure that the battery is an operating condition at all times. To replace a battery as needed. If after replacing the battery the smoke and carbon monoxide detectors do not work, inform the owner landlord immediately in writing. Tenant must inform the owner landlord



immediately in writing of any defect or malfunction or failure of any detectors. In accordance with the law, tenant shall allow owner landlord access to the premises for the purpose of verifying that all required smoke and carbon monoxide detectors are in place and operating properly or to Conduct maintenance services, repair or replace as needed. Tenant will be charge for any missing or broken smoke or carbon monoxide detectors at time of vacancy. Initial: g

**29. ENTIRE AGREEMENT:** The foregoing agreement, including any attachments incorporated by reference, constitute the entire agreement between the parties and supersedes any oral or written representations or agreements that may have been made by either party. Further, TENANT represents that TENANT has relied solely on TENANT'S judgment in entering into this agreement. TENANT acknowledges having been advised to consult with independent legal counsel before entering into this Agreement and has decided to waive such representation and advice. TENANT acknowledges that TENANT has read and understood this agreement and has been furnished a duplicate original.

Kimberly S. Jones LANDLORD/AGENT

9/1/20 DATE

[REDACTED] TENANT

9-1-20 DATE

Kimberly S. TENANT

DATE

\_\_\_\_\_  
TENANT

\_\_\_\_\_  
DATE

# Exhibit 2



DESTINATION

Enter a destination

CHECK  
IN

4/1,

CHECK  
OUT

4/8

UPDATE

## Your

## 1 Guest Information

### Itinerary

Reservation held for: 14:51

**WoodSpring  
Suites Riverside-  
Corona-Norco**

3265 Hamner Ave, Norco,  
CA

**Check In:**  
Thursday, April 1, 2021

**Check Out:**  
Thursday, April 8, 2021

### ROOM 1

**2 Queen Beds,  
Nonsmoking,  
Accessible**

2 Adults, 0 Children  
\$83.00

First Name\*

Last Name\*

Email\*

Phone\*

United States

Address\*

Address 2 (Optional)

City\*

State

Zip Code

## 2 Billing Information

Name on Credit Card

Credit Card Number



DESTINATION

Enter a destination

CHECK IN

4/1,

CHECK OUT

4/8

UPDATE

Expiration Year\*

▼

Cost Summary

☐ I agree to terms and conditions

Total Room Stay	\$581.00
Taxes	\$65.04
TOTAL COST	<b>\$646.04</b>

Modifications or cancellation may be made until Mar 31, 2021 at 4:00 PM local hotel time.

COMPLETE YOUR RESERVATION

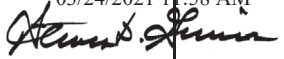
ADD ANOTHER ROOM

It's Simple. Done Better.®

LEGAL

Guest Rules & Policies (rules-and-policies) Privacy Policy (privacy) Terms of Use (terms-of-use)

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CLERK OF THE COURT

1 **ORDG**

2  
3 **DISTRICT COURT**  
4 **CLARK COUNTY, NEVADA**

5  
6 In the Matter of the Guardianship of:

7 Kathleen Jones,

8 Protected Person(s).

Case No.:

G-19-052263-A

Department: B

9  
10  
11  
12  
13  
14 **PROTECTIVE ORDER AUTHORIZING LIMITED REVIEW OF**  
15 **CONFIDENTIAL DOCUMENTS**

16 TO: Elizabeth Brickfield, Esq., Guardian Ad Litem

17  
18 The Court, having jurisdiction of the persons and estates of protected  
19 persons pursuant to NRS 159.015 and Administrative Order 19-2, orders the  
20 limited review of the Physician's Certificate in this matter pursuant to the  
21 restrictions of the instant protective order.

22 **THE COURT FINDS** that the confidentially filed Physician's  
23 Certificate relative to the Proposed Protected Person(s) or Protected Person(s),  
24 is necessary to determine the best interest of the Protected Person.

25  
26 **THE COURT FURTHER FINDS** that disclosure of the Physician's  
27 Certificate to the Guardian ad Litem appointed by this Court to represent the  
28



1 Proposed Protected Person or Protected Person in these proceedings is  
2 reasonably necessary to promote the safety, permanency, and well-being of the  
3 Protected Person.

4  
5 **IT IS HEREBY ORDERED** that the Judicial Department shall  
6 confidentially e-mail the Physician's Certificate to Counsel.

7  
8 **THE COURT FURTHER ORDERS** that the Physician's Certificate is  
9 confidential and subject to protective order. Counsel shall take great care to  
10 protect and maintain the documents pursuant to this order.

11  
12 **THE COURT FURTHER ORDERS** that the Physicians' Certificate  
13 shall be confidentially and securely maintained by Counsel and shall not be  
14 disseminated or transmitted to anyone.

15  
16 **THE COURT FURTHER ORDERS** that the Physician's Certificate  
17 shall remain in the possession and control of Counsel exclusively and may not  
18 be made public in any way.

19  
20 **THE COURT FURTHER ORDERS** that the Physician's Certificate,  
21 maintained by Counsel pursuant to the instant order, be deleted and destroyed at  
22 the conclusion of this matter.

23  
24 Dated this 24th day of March, 2021

25  
26 

27  
28 3B8 C0D 04A6 E87A  
Linda Marquis  
District Court Judge

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 In the Matter of the Guardianship CASE NO: G-19-052263-A  
7 of:  
8 Kathleen Jones, Protected  
9 Person(s)

DEPT. NO. Department B

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 3/24/2021

15 Kelly Easton	kellye@sylvesterpolednak.com
16 Cheryl Becnel	cbecnel@maclaw.com
17 Laura Deeter, Esq.	laura@ghandilaw.com
18 Faydra Ross	fr@ghandilaw.com
19 Lenda Murnane	lenda@michaelsonlaw.com
20 James Beckstrom	jbeckstrom@maclaw.com
21 Ty Kehoe	TyKehoeLaw@gmail.com
22 Jeffrey Sylvester	jeff@sylvesterpolednak.com
23 Maria Parra-Sandoval, Esq.	mparra@lacs.org
24 Kate McCloskey	NVGCO@nvcourts.nv.gov
25 Sonja Jones	sjones@nvcourts.nv.gov

1	LaChasity Carroll	lcarroll@nvcourts.nv.gov
2	Matthew Piccolo	matt@piccololawoffices.com
3	Melissa Douglas	mdouglas@dlnevadalaw.com
4	Elizabeth Brickfield	ebrickfield@dlnevadalaw.com
5	Penny Walker	pwalker@lacs.org
6	John Michaelson	john@michaelsonlaw.com
7	John Michaelson	john@michaelsonlaw.com
8	David Johnson	dcj@johnsonlegal.com
9	Karen Friedrich	kfriedrich@dlnevadalaw.com
10	Geraldine Tomich	gtomich@maclaw.com
11	Matthew Whittaker	matthew@michaelsonlaw.com
12	Ammon Francom	ammon@michaelsonlaw.com
13	Matthew Whittaker	matthew@michaelsonlaw.com
14	Ammon Francom	ammon@michaelsonlaw.com
15	Matthew Whittaker	matthew@michaelsonlaw.com
16	Ammon Francom	ammon@michaelsonlaw.com
17		

18        If indicated below, a copy of the above mentioned filings were also served by mail  
19        via United States Postal Service, postage prepaid, to the parties listed below at their last  
20        known addresses on 3/25/2021

20	Elizabeth Brickfield	Dawson & Lordahl, PLLC
21		8925 West Post Road Suite 210
22		Las Vegas, NV, 89148
23		
24		
25		
26		
27		
28		



1 **Marquis Aurbach Coffing**  
2 Geraldine Tomich, Esq.  
3 Nevada Bar No. 8369  
4 James A. Beckstrom, Esq.  
5 Nevada Bar No. 14032  
6 10001 Park Run Drive  
7 Las Vegas, Nevada 89145  
8 Telephone: (702) 382-0711  
9 Facsimile: (702) 382-5816  
10 gtomich@maclaw.com  
11 jbeckstrom@maclaw.com  
12 *Attorneys for Kimberly Jones, Guardian*  
13 *of the Protected Person June Jones*

8  
9  
10 **DISTRICT COURT**

11 **CLARK COUNTY, NEVADA**

12 In the Matter of the Guardianship of the Person  
13 and Estate of,

Case No.: G-19-052263-A  
Dept. No.: B

14 KATHLEEN JUNE JONES,  
15 Protected Person.

16 **KIMBERLY JONES' MEMORANDUM OF STATUS**

17 Kimberly Jones, Guardian of the Protected Person June Jones, by and through the law  
18 firm of Marquis Aurbach Coffing, hereby submits its Memorandum of Status.

19 **I. STATUS**

20 Since the last appearance before this Court, Kimberly Jones ("Kimberly"), pursuant to  
21 this Court's request, provides the following:

22 1. A Petition to Relocate and Transfer Guardianship has been filed. This Petition is  
23 consistent with the dialogue led by the Court during the most recent hearings.

24 2. A copy of the Appraisal on 1054 S. Verde Street, Anaheim, CA 92805 is enclosed  
25 for any interested party disputing its value. Appraisal, **Exhibit 1**.

26 3. To the extent additional confirmation was "requested" by any Interested Party, as  
27 to Kimberly's income of working status, Kimberly further confirms and affirms the following:

28 a. Kimberly has not been employed or received income in 2020 or 2021, her  
employment seized.

1           b.       Upon relocation to California, if June's care continues to remain stable,  
2 Kimberly will seek to restart her work (when work returns from COVID-19) during the time she  
3 has free.

4           4.       To the extent there were questions regarding June's current medications,  
5 restrictions, and care, Kimberly provides the following:

6           a.       June has been treated by Dr. Heidi Baker<sup>1</sup>, her primary care physician, as  
7 well as Simirat Saraon, CNP at Cleveland Clinic.<sup>2</sup> From Cleveland Clinic, June receives  
8 additional oversight as to her dementia as well as rehabilitation and sports therapy. June's level  
9 of care has remained unchanged from 2019 to present, she is on the same medications, and has  
10 received ongoing rehabilitation therapy. She has had neurological imaging provided at Cleveland  
11 Clinic and has been diagnosed with Alzheimer's disease dementia. *Id.*

12           b.       June's occupational therapy has come to a point where Cleveland Clinic  
13 determined no further therapy was necessary based on June being "as active as possible." *Id.*  
14 June's functional limitations prevent her from cleaning, cooking, dressing, grooming, and  
15 feeding. *Id.*

16           c.       Since 2019, June's medications have remained unchanged. Of relevance to  
17 her mental status, June has been on the same Aricept (Doneprizil 5mg) prescription and has  
18 tolerated it well.

19           d.       Cleveland Clinic, nor Dr. Baker have recommended, nor required weekly  
20 or even monthly appointments based on June's stable condition. June's recent medical records  
21 from Cleveland Clinic are consistent with her condition being stable.

22           e.       June has been vaccinated for COVID-19.

23           f.       June has a new walker with an integrated seat that has increased her  
24 mobility, she relies on Kimberly for all other transportation.

25 \_\_\_\_\_  
26 <sup>1</sup> Dr. Baker's records are enclosed for the snapshot periods of April 27, 2020 and March 8, 2021 (June's  
most recent visit), **Exhibit 2. (Exhibits delivered by email to preserve privacy)**

27 <sup>2</sup> Cleveland Clinic Snapshot of Records for July 25, 2019 and March 12, 2021 (June's most recent visit),  
28 **Exhibit 3. (Exhibits delivered by email to preserve privacy).**

1           5.       To the extent there are questions as to respite care when the proposed move to  
2 Anaheim takes place, Kimberly has no concerns with this. In the past June has been assisted by  
3 Vivian and Elizabeth Quiroz, who will be able to relieve Kimberly of caregiving duties when  
4 needed. This is second to and in addition to June's daughter Donna, who has offered to assist  
5 Kimberly with relief when she can. It should be noted that Kimberly has successfully been able  
6 to care for June with no problems for almost three years. Kimberly will also obtain relief when  
7 June visits other family members within or outside of California. Because June's condition is  
8 stable, changes will be addressed as they arise through a discussion with the family and approval  
9 through whatever Court is overseeing June's status as a protected person. Once June is  
10 established in California, Kimberly intends to start the process to qualify June for Medicaid. If  
11 accepted, June will have access to additional care services and financial assistance.

12           6.       To the extent there are questions as to Kimberly's compensation arrangement  
13 being deemed employment, such questions are easily answered. Kimberly will comply with  
14 relevant laws for personal caregivers, including any employee requirements. Utilizing the  
15 relevant family waivers in place, if necessary, Kimberly will coordinate and setup a w-2 payroll  
16 system. Kimberly after approval from this Court will also propose a care agreement, setting forth  
17 the Court authorized compensation, duties, and terms.

18           7.       To the extent there are questions about June not being able to visit family that  
19 comes to see her in California, this concern is non-existent. June will have communal living  
20 space at the Anaheim Property, including a backyard. Family and friends are free to come over.  
21 Just as any cohabitation situation, if qualified individuals are visiting June at her own home (i.e.  
22 Donna or her children), such visits could occur with or without Kimberly, subject to normal  
23 family discussion. Kimberly will not be ordered to leave her house, nor will she (or has she)  
24 demand to be present for every social visit to June.

25           8.       To the extent there are questions about the Accounting submitted, Kimberly  
26 continues to track down requested receipts. The Accounting is correct as to income, debts, and  
27 liabilities. This is being supplemented as quickly as possible, though Kimberly was not advised  
28 to save every single receipt.

**MARQUIS AURBACH COFFING**

10001 Park Run Drive  
Las Vegas, Nevada 89145  
(702) 382-0711 FAX: (702) 382-5816

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Dated this 29th day of March, 2021.

MARQUIS AURBACH COFFING

By /s/ James A. Beckstrom

Geraldine Tomich, Esq.  
Nevada Bar No. 8369  
James A. Beckstrom, Esq.  
Nevada Bar No. 14032  
10001 Park Run Drive  
Las Vegas, Nevada 89145  
*Attorney(s) for Kimberly Jones*

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **KIMBERLY JONES' MEMORANDUM OF STATUS** was submitted electronically for filing and/or service with the Eighth Judicial District Court on the 29th day of March, 2021. Electronic service of the foregoing document shall be made in accordance with the E-Service List as follows:<sup>3</sup>

Ty E. Kehoe, Esq.  
KEHOE & ASSOCIATES  
871 Coronado Center Drive, Ste. 200  
Henderson, NV 89052  
*Attorneys for Rodney Gerald Yeoman*

Matthew C. Piccolo, Esq.  
PICCOLO LAW OFFICES  
2450 St. Rose Pkwy., Ste. 210  
Henderson, NV 89074  
*Attorneys for Rodney Gerald Yeoman*

Laura A. Deeter, Esq.  
GHANDI DEETER BLACKHAM  
725 S. 8th Street, Ste. 100  
Las Vegas, NV 89101  
*Attorneys for Rodney Gerald Yeoman*

Maria L. Parra-Sandoval, Esq.  
LEGAL AID OF SOUTHERN NEVADA  
725 E. Charleston Blvd.  
Las Vegas, NV 89104  
*Attorney for Kathleen June Jones Protected Person*

I further certify that I served a copy of this document by emailing and mailing a true and correct copy thereof, postage prepaid, addressed to:

Jen Adamo  
14 Edgewater Drive  
Magnolia, DE 19962

Teri Butler  
586 N. Magdalena Street  
Dewey, AZ 86327

Courtney Simmons  
765 Kimbark Avenue  
San Bernardino, CA 92407

Scott Simmons  
1054 S. Verde Street  
Anaheim, CA 92805

Ampersand Man  
2824 High Sail Court  
Las Vegas, Nevada 89117

Tiffany O'Neal  
177 N. Singingwood Street, Unit 13  
Orange, CA 92869

/s/ Cheryl Becnel  
An employee of Marquis Aurbach Coffing

<sup>3</sup> Pursuant to EDCR 8.05(a), each party who submits an E-Filed document through the E-Filing System consents to electronic service in accordance with NRCP 5(b)(2)(D).



# Exhibit 1

## Uniform Residential Appraisal Report

3004917

File # 8750488101

The purpose of this summary appraisal report is to provide the lender/client with an accurate, and adequately supported, opinion of the market value of the subject property.																																																																																																																																																							
Property Address <b>1054 S Verde St</b> City <b>Anaheim</b> State <b>CA</b> Zip Code <b>92805</b>																																																																																																																																																							
Borrower <b>June S Jones</b> Owner of Public Record <b>June S Jones</b> County <b>Orange</b>																																																																																																																																																							
Legal Description <b>N-TRACT: 6409 BLOCK: LOT: 8</b>																																																																																																																																																							
Assessor's Parcel # <b>234-056-10</b> Tax Year <b>2019</b> R.E. Taxes \$ <b>961</b>																																																																																																																																																							
Neighborhood Name <b>East Anaheim</b> Map Reference <b>11244</b> Census Tract <b>0863.03</b>																																																																																																																																																							
Occupant <input type="checkbox"/> Owner <input type="checkbox"/> Tenant <input checked="" type="checkbox"/> Vacant Special Assessments \$ <b>0</b> <input type="checkbox"/> PUD HOA \$ <b>0</b> <input type="checkbox"/> per year <input type="checkbox"/> per month																																																																																																																																																							
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Lender/Client <b>American Financial Network Inc.</b> Address <b>10 Pointe Drive #330, Brea, CA 92821</b>																																																																																																																																																							
Is the subject property currently offered for sale or has it been offered for sale in the twelve months prior to the effective date of this appraisal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																																																																																																																																																							
Report data source(s) used, offering price(s), and date(s). <b>MLS</b>																																																																																																																																																							
I <input type="checkbox"/> did <input type="checkbox"/> did not analyze the contract for sale for the subject purchase transaction. Explain the results of the analysis of the contract for sale or why the analysis was not performed.																																																																																																																																																							
Contract Price \$ _____ Date of Contract _____ Is the property seller the owner of public record? <input type="checkbox"/> Yes <input type="checkbox"/> No Data Source(s) _____																																																																																																																																																							
Is there any financial assistance (loan charges, sale concessions, gift or downpayment assistance, etc.) to be paid by any party on behalf of the borrower? <input type="checkbox"/> Yes <input type="checkbox"/> No																																																																																																																																																							
If Yes, report the total dollar amount and describe the items to be paid.																																																																																																																																																							
Note: Race and the racial composition of the neighborhood are not appraisal factors.																																																																																																																																																							
<table border="1" style="width:100%"><thead><tr><th colspan="2">Neighborhood Characteristics</th><th colspan="2">One-Unit Housing Trends</th><th colspan="2">One-Unit Housing</th><th colspan="2">Present Land Use %</th></tr></thead><tbody><tr><td>Location <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural</td><td>Property Values <input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining</td><td>PRICE</td><td>AGE</td><td>One-Unit</td><td>85 %</td></tr><tr><td>Built-Up <input checked="" type="checkbox"/> Over 75% <input type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%</td><td>Demand/Supply <input type="checkbox"/> Shortage <input checked="" type="checkbox"/> In Balance <input type="checkbox"/> Over Supply</td><td>\$ (000)</td><td>(yrs)</td><td>2-4 Unit</td><td>5 %</td></tr><tr><td>Growth <input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow</td><td>Marketing Time <input checked="" type="checkbox"/> Under 3 mths <input type="checkbox"/> 3-6 mths <input type="checkbox"/> Over 6 mths</td><td>365</td><td>Low</td><td>Multi-Family</td><td>5 %</td></tr><tr><td>Neighborhood Boundaries <b>Lincoln Ave to the North, Santa Ana River to the East, Katella Ave to the South, Anaheim Blvd to the West.</b></td><td></td><td>690</td><td>High</td><td>Commercial</td><td>5 %</td></tr><tr><td>Neighborhood Description <b>The subject's neighborhood is mostly composed of older and newer average to good quality detached single family residences. Most properties are adequately to well maintained. Local shopping, transportation, parks, and employment centers are in close proximity.</b></td><td></td><td>610</td><td>Pred.</td><td>Other</td><td>%</td></tr><tr><td>Market Conditions (including support for the above conclusions) <b>See attached 1004MC addendum.</b></td><td></td><td></td><td></td><td></td><td></td></tr></tbody></table>		Neighborhood Characteristics		One-Unit Housing Trends		One-Unit Housing		Present Land Use %		Location <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural	Property Values <input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining	PRICE	AGE	One-Unit	85 %	Built-Up <input checked="" type="checkbox"/> Over 75% <input type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%	Demand/Supply <input type="checkbox"/> Shortage <input checked="" type="checkbox"/> In Balance <input type="checkbox"/> Over Supply	\$ (000)	(yrs)	2-4 Unit	5 %	Growth <input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow	Marketing Time <input checked="" type="checkbox"/> Under 3 mths <input type="checkbox"/> 3-6 mths <input type="checkbox"/> Over 6 mths	365	Low	Multi-Family	5 %	Neighborhood Boundaries <b>Lincoln Ave to the North, Santa Ana River to the East, Katella Ave to the South, Anaheim Blvd to the West.</b>		690	High	Commercial	5 %	Neighborhood Description <b>The subject's neighborhood is mostly composed of older and newer average to good quality detached single family residences. Most properties are adequately to well maintained. Local shopping, transportation, parks, and employment centers are in close proximity.</b>		610	Pred.	Other	%	Market Conditions (including support for the above conclusions) <b>See attached 1004MC addendum.</b>																																																																																																															
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Dimensions <b>See Plat Map</b> Area <b>6110 sf</b> Shape <b>Rectangular</b> View <b>N;Res;</b>																																																																																																																																																							
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Is the highest and best use of subject property as improved (or as proposed per plans and specifications) the present use? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe <b>The highest and best use is As-is.</b>																																																																																																																																																							
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Gas	<input checked="" type="checkbox"/>	Sanitary Sewer	<input checked="" type="checkbox"/>			Alley	<b>None</b>		<input type="checkbox"/>																																																																																																																																														
FEMA Special Flood Hazard Area	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	FEMA Flood Zone	<b>X500</b>	FEMA Map #	<b>06059C0134J</b>	FEMA Map Date	<b>12/03/2009</b>																																																																																																																																																
Are the utilities and off-site improvements typical for the market area? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe																																																																																																																																																							
Are there any adverse site conditions or external factors (easements, encroachments, environmental conditions, land uses, etc.)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe																																																																																																																																																							
<b>The subject has level lot with 100% utility. No easements or encroachments noted. There were NO adverse conditions noted.</b>																																																																																																																																																							
<table border="1" style="width:100%"><thead><tr><th colspan="2">General Description</th><th colspan="2">Foundation</th><th colspan="2">Exterior Description</th><th colspan="2">materials/condition</th><th colspan="2">Interior</th><th colspan="2">materials/condition</th></tr></thead><tbody><tr><td>Units <input checked="" type="checkbox"/> One <input type="checkbox"/> One with Accessory Unit</td><td><input checked="" type="checkbox"/> Concrete Slab <input type="checkbox"/> Crawl Space</td><td>Foundation Walls</td><td><b>Concrete/Average</b></td><td>Floors</td><td><b>Wd/Tile/Avg</b></td></tr><tr><td># of Stories <b>1</b></td><td><input type="checkbox"/> Full Basement <input type="checkbox"/> Partial Basement</td><td>Exterior Walls</td><td><b>Stucco/Average</b></td><td>Walls</td><td><b>Drywall/Average</b></td></tr><tr><td>Type <input checked="" type="checkbox"/> Det. <input type="checkbox"/> Att. <input type="checkbox"/> S-Det./End Unit</td><td>Basement Area <b>0</b> sq.ft.</td><td>Roof Surface</td><td><b>Comp/Average</b></td><td>Trim/Finish</td><td><b>Wood/Average</b></td></tr><tr><td><input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Under Const.</td><td>Basement Finish <b>0</b> %</td><td>Gutters &amp; Downspouts</td><td><b>Alum/Average</b></td><td>Bath Floor</td><td><b>Tile/Average</b></td></tr><tr><td>Design (Style) <b>Conv</b></td><td><input type="checkbox"/> Outside Entry/Exit <input type="checkbox"/> Sump Pump</td><td>Window Type</td><td><b>Aluminum/Average</b></td><td>Bath Wainscot</td><td><b>Tile/Average</b></td></tr><tr><td>Year Built <b>1968</b></td><td>Evidence of <input type="checkbox"/> Infestation <b>None</b></td><td>Storm Sash/Insulated</td><td><b>None</b></td><td>Car Storage</td><td><input type="checkbox"/> None</td></tr><tr><td>Effective Age (Yrs) <b>40</b></td><td><input type="checkbox"/> Dampness <input type="checkbox"/> Settlement</td><td>Screens</td><td><b>Yes/Average</b></td><td><input checked="" type="checkbox"/> Driveway</td><td># of Cars <b>2</b></td></tr><tr><td>Attic <input type="checkbox"/> None</td><td>Heating <input checked="" type="checkbox"/> FWA <input type="checkbox"/> HMBB <input type="checkbox"/> Radiant</td><td>Amenities</td><td><input type="checkbox"/> Woodstove(s) # <b>0</b></td><td>Driveway Surface</td><td><b>Concrete</b></td></tr><tr><td><input type="checkbox"/> Drop Stair <input type="checkbox"/> Stairs</td><td><input type="checkbox"/> Other <input type="checkbox"/> Fuel <b>Gas</b></td><td><input checked="" type="checkbox"/> Fireplace(s) # <b>1</b></td><td><input checked="" type="checkbox"/> Fence <b>Blk</b></td><td><input checked="" type="checkbox"/> Garage</td><td># of Cars <b>2</b></td></tr><tr><td><input type="checkbox"/> Floor <input checked="" type="checkbox"/> Scuttle</td><td>Cooling <input checked="" type="checkbox"/> Central Air Conditioning</td><td><input checked="" type="checkbox"/> Patio/Deck</td><td><b>Patio</b></td><td><input checked="" type="checkbox"/> Carport</td><td># of Cars <b>0</b></td></tr><tr><td><input type="checkbox"/> Finished <input type="checkbox"/> Heated</td><td><input type="checkbox"/> Individual <input type="checkbox"/> Other</td><td><input type="checkbox"/> Pool <b>None</b></td><td><input type="checkbox"/> Other <b>None</b></td><td><input checked="" type="checkbox"/> Att.</td><td><input type="checkbox"/> Det. <input type="checkbox"/> Built-in</td></tr><tr><td colspan="12">Appliances <input type="checkbox"/> Refrigerator <input checked="" type="checkbox"/> Range/Oven <input checked="" type="checkbox"/> Dishwasher <input checked="" type="checkbox"/> Disposal <input checked="" type="checkbox"/> Microwave <input type="checkbox"/> Washer/Dryer <input type="checkbox"/> Other (describe)</td></tr><tr><td colspan="12">Finished area above grade contains: <b>6</b> Rooms <b>3</b> Bedrooms <b>2.0</b> Bath(s) <b>1,235</b> Square Feet of Gross Living Area Above Grade</td></tr><tr><td colspan="12">Additional features (special energy efficient items, etc.). <b>None noted.</b></td></tr><tr><td colspan="12">Describe the condition of the property (including needed repairs, deterioration, renovations, remodeling, etc.). <b>C3;Kitchen-updated-less than one year ago;Bathrooms-updated-timeframe unknown;The subject is in average condition, new wood flooring. 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## Uniform Residential Appraisal Report

3004917  
File # 8750488101

There are 3 comparable properties currently offered for sale in the subject neighborhood ranging in price from \$ 614,000 to \$ 659,900				
There are 45 comparable sales in the subject neighborhood within the past twelve months ranging in sale price from \$ 490,000 to \$ 685,000				
FEATURE	SUBJECT	COMPARABLE SALE # 1	COMPARABLE SALE # 2	COMPARABLE SALE # 3
Address	1054 S Verde St Anaheim, CA 92805	1022 S Verde St Anaheim, CA 92805	1803 E Bassett Way Anaheim, CA 92805	1220 E Clifpark Way Anaheim, CA 92805
Proximity to Subject		0.09 miles N	0.16 miles W	0.36 miles W
Sale Price	\$	\$ 602,000	\$ 615,000	\$ 630,000
Sale Price/Gross Liv. Area	\$ sq.ft.	\$ 512.34 sq.ft.	\$ 477.48 sq.ft.	\$ 472.97 sq.ft.
Data Source(s)		MLS#PW20018458;DOM 7	MLS#PW20078994;DOM 6	MLS#PW20141011;DOM 5
Verification Source(s)		Doc#67851	Doc#368146	Doc#436775
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	+	+
Sales or Financing Concessions		ArmLth Conv;0		ArmLth Conv;0
Date of Sale/Time		s02/20;c02/20		s07/20;c07/20
Location	N;Res;	N;Res;		0 N;Res;
Leasehold/Fee Simple	Fee Simple	Fee Simple		Fee Simple
Site	6110 sf	6110 sf		0 5400 sf
View	N;Res;	N;Res;		N;Res;
Design (Style)	DT1;Conv	DT1;Conv		DT1;Conv
Quality of Construction	Q3	Q3		Q3
Actual Age	52	52		0 51
Condition	C3	C3		C3
Above Grade	Total Bdrms. Baths	Total Bdrms. Baths		Total Bdrms. Baths
Room Count	6 3 2.0	5 2 2.0		7 4 2.0
Gross Living Area	1,235 sq.ft.	1,175 sq.ft.		1,332 sq.ft.
Basement & Finished	0sf	0sf		0sf
Rooms Below Grade				
Functional Utility	Average	Average		Average
Heating/Cooling	FAU/CAC	FAU/None		FAU/CAC
Energy Efficient Items	None	None		None
Garage/Carport	2ga2dw	2ga2dw		2ga2dw
Porch/Patio/Deck	Porch/Patio	Porch/Patio		Porch/Patio
Fireplace	Fireplace	Fireplace		Fireplace
Pool/Spa	None	None		None
Net Adjustment (Total)		\$ 5,000		\$ -14,850
Adjusted Sale Price of Comparables		\$ 607,000		\$ 615,150
I <input checked="" type="checkbox"/> did <input type="checkbox"/> did not research the sale or transfer history of the subject property and comparable sales. If not, explain				
Realist and MLS were utilized in researching the sale or transfer history of subject and all comparables.				
My research <input type="checkbox"/> did <input checked="" type="checkbox"/> did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.				
Data Source(s) Realist/MLS				
My research <input type="checkbox"/> did <input checked="" type="checkbox"/> did not reveal any prior sales or transfers of the comparable sales for the year prior to the date of sale of the comparable sale.				
Data Source(s) Realist/MLS				
Report the results of the research and analysis of the prior sale or transfer history of the subject property and comparable sales (report additional prior sales on page 3).				
ITEM	SUBJECT	COMPARABLE SALE #1	COMPARABLE SALE #2	COMPARABLE SALE #3
Date of Prior Sale/Transfer				
Price of Prior Sale/Transfer				
Data Source(s)	Realist	Realist	Realist	Realist
Effective Date of Data Source(s)	07/26/2020	07/26/2020	07/26/2020	07/26/2020
Analysis of prior sale or transfer history of the subject property and comparable sales				
None noted.				
Summary of Sales Comparison Approach				
All comparables are located in the same market area. Adjustments are based on current market data/paired sales study analysis. Adjustments made for condition/features are applied per exterior inspection and MLS description. Comparables used are all similar in amenities, market location, design/appeal, effective age, lot utility. Subject value is bracketed and placed in the value range.				
Indicated Value by Sales Comparison Approach \$ 610,000				
Indicated Value by: Sales Comparison Approach \$ 610,000 Cost Approach (if developed) \$ 610,110 Income Approach (if developed) \$				
In the final analysis most consideration was given to the market data approach as it best represents the actions of buyers and sellers in an open market. The cost approach was given consideration ONLY as a supportive factor. The income approach was NOT considered in the final analysis.				
This appraisal is made <input checked="" type="checkbox"/> "as is", <input type="checkbox"/> subject to completion per plans and specifications on the basis of a hypothetical condition that the improvements have been completed, <input type="checkbox"/> subject to the following repairs or alterations on the basis of a hypothetical condition that the repairs or alterations have been completed, or <input type="checkbox"/> subject to the following required inspection based on the extraordinary assumption that the condition or deficiency does not require alteration or repair:				
Based on a complete visual inspection of the interior and exterior areas of the subject property, defined scope of work, statement of assumptions and limiting conditions, and appraiser's certification, my (our) opinion of the market value, as defined, of the real property that is the subject of this report is \$ 610,000 as of 08/04/2020, which is the date of inspection and the effective date of this appraisal.				



## Uniform Residential Appraisal Report

3004917  
File # 8750488101

ADDITIONAL COMMENTS	Exposure time is estimated at 50 days.			
	Unless otherwise noted, I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment. The intended user of this appraisal report is the lender/client, this report is for a mortgage transaction only, it is not intended for any other use or any other user, subject to the stated scope of work, purpose of the appraisal, reporting requirements of this appraisal form, definition of market value, no additional intended users are identified by the appraiser.			
	1) AIR Statement: No employee, director, officer or agent of the lender, or any other third party acting as a joint venture partner, independent contractor, appraisal management company, or partner on behalf of the lender has influenced or attempted to influence the development, reporting, result or review of this assignment through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, bribery or in any other manner.			
	2) FIRREA Statement: The appraiser certifies and agrees that this appraisal was prepared in accordance with the requirements of Title XI of the Financial Institutions, Reform, Recovery, and Enforcement Act (FIRREA) of 1989, as amended (12 U.S.C. 331 et seq.), and any applicable implementing regulations in effect at the time the appraiser signs the appraisal certification.			
	3) Cost Approach Comment: This appraisal report, in part or whole, is not intended to be utilized by any party for insurance purposes.			
	Water heater is properly double strapped, subject is equipped with smoke detectors, and carbon monoxide detectors.			
	The Effects of Covid in subject market are unknown.			
COST APPROACH	<b>COST APPROACH TO VALUE (not required by Fannie Mae)</b>			
	Provide adequate information for the lender/client to replicate the below cost figures and calculations.			
	Support for the opinion of site value (summary of comparable land sales or other methods for estimating site value) The site value is based on the extraction method.			
	The physical depreciation can be derived by the Age-Life method which is calculated by dividing the effective age by total economic life (100 years.) Due to the difficulty in determining the physical depreciation the cost approach is NOT considered the most reliable approach to value.			
	ESTIMATED	<input type="checkbox"/> REPRODUCTION OR	<input checked="" type="checkbox"/> REPLACEMENT COST NEW	OPINION OF SITE VALUE ----- = \$ 470,000
	Source of cost data Marshall & Swift/Building-cost.net			DWELLING 1,235 Sq.Ft. @ \$ 150.00 ----- = \$ 185,250
	Quality rating from cost service Good Effective date of cost data 01/01/2020			0 Sq.Ft. @ \$ ----- = \$
	Comments on Cost Approach (gross living area calculations, depreciation, etc.)			Porch/Patio ----- = \$ 10,000
	Due to the difficulty in determining the physical depreciation, and the limited availability of land sales that are similar to subject, the cost approach is NOT considered the most reliable approach to value. The site value is greater than 30% of the indicated value of the cost approach but this is typical for this area.			Garage/Carport 480 Sq.Ft. @ \$ 45.00 ----- = \$ 21,600
				Total Estimate of Cost-New ----- = \$ 216,850
INCOME	<b>INCOME APPROACH TO VALUE (not required by Fannie Mae)</b>			
	Estimated Monthly Market Rent \$ X Gross Rent Multiplier = \$ Indicated Value by Income Approach			
	Summary of Income Approach (including support for market rent and GRM)			
PUD INFORMATION	<b>PROJECT INFORMATION FOR PUDs (if applicable)</b>			
	Is the developer/builder in control of the Homeowners' Association (HOA)? <input type="checkbox"/> Yes <input type="checkbox"/> No Unit type(s) <input type="checkbox"/> Detached <input type="checkbox"/> Attached			
	Provide the following information for PUDs ONLY if the developer/builder is in control of the HOA and the subject property is an attached dwelling unit.			
	Legal Name of Project			
	Total number of phases	Total number of units	Total number of units sold	
	Total number of units rented	Total number of units for sale	Data source(s)	
	Was the project created by the conversion of existing building(s) into a PUD? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, date of conversion.			
	Does the project contain any multi-dwelling units? <input type="checkbox"/> Yes <input type="checkbox"/> No Data Source			
	Are the units, common elements, and recreation facilities complete? <input type="checkbox"/> Yes <input type="checkbox"/> No If No, describe the status of completion.			
Are the common elements leased to or by the Homeowners' Association? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, describe the rental terms and options.				
Describe common elements and recreational facilities.				

# Uniform Residential Appraisal Report

3004917  
File # 8750488101

This report form is designed to report an appraisal of a one-unit property or a one-unit property with an accessory unit, including a unit in a planned unit development (PUD). This report form is not designed to report an appraisal of a manufactured home or a unit in a condominium or cooperative project.

This appraisal report is subject to the following scope of work, intended use, intended user, definition of market value, statement of assumptions and limiting conditions, and certifications. Modifications, additions, or deletions to the intended use, intended user, definition of market value, or assumptions and limiting conditions are not permitted. The appraiser may expand the scope of work to include any additional research or analysis necessary based on the complexity of this appraisal assignment. Modifications or deletions to the certifications are also not permitted. However, additional certifications that do not constitute material alterations to this appraisal report, such as those required by law or those related to the appraiser's continuing education or membership in an appraisal organization, are permitted.

**SCOPE OF WORK:** The scope of work for this appraisal is defined by the complexity of this appraisal assignment and the reporting requirements of this appraisal report form, including the following definition of market value, statement of assumptions and limiting conditions, and certifications. The appraiser must, at a minimum: (1) perform a complete visual inspection of the interior and exterior areas of the subject property, (2) inspect the neighborhood, (3) inspect each of the comparable sales from at least the street, (4) research, verify, and analyze data from reliable public and/or private sources, and (5) report his or her analysis, opinions, and conclusions in this appraisal report.

**INTENDED USE:** The intended use of this appraisal report is for the lender/client to evaluate the property that is the subject of this appraisal for a mortgage finance transaction.

**INTENDED USER:** The intended user of this appraisal report is the lender/client.

**DEFINITION OF MARKET VALUE:** The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he or she considers his or her own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions\* granted by anyone associated with the sale.

\*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

**STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS:** The appraiser's certification in this report is subject to the following assumptions and limiting conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it, except for information that he or she became aware of during the research involved in performing this appraisal. The appraiser assumes that the title is good and marketable and will not render any opinions about the title.
2. The appraiser has provided a sketch in this appraisal report to show the approximate dimensions of the improvements. The sketch is included only to assist the reader in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in this appraisal report whether any portion of the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand, or as otherwise required by law.
5. The appraiser has noted in this appraisal report any adverse conditions (such as needed repairs, deterioration, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the research involved in performing the appraisal. Unless otherwise stated in this appraisal report, the appraiser has no knowledge of any hidden or unapparent physical deficiencies or adverse conditions of the property (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) that would make the property less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, this appraisal report must not be considered as an environmental assessment of the property.
6. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that the completion, repairs, or alterations of the subject property will be performed in a professional manner.

# Uniform Residential Appraisal Report

3004917  
File # 8750488101

APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

1. I have, at a minimum, developed and reported this appraisal in accordance with the scope of work requirements stated in this appraisal report.
2. I performed a complete visual inspection of the interior and exterior areas of the subject property. I reported the condition of the improvements in factual, specific terms. I identified and reported the physical deficiencies that could affect the livability, soundness, or structural integrity of the property.
3. I performed this appraisal in accordance with the requirements of the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
4. I developed my opinion of the market value of the real property that is the subject of this report based on the sales comparison approach to value. I have adequate comparable market data to develop a reliable sales comparison approach for this appraisal assignment. I further certify that I considered the cost and income approaches to value but did not develop them, unless otherwise indicated in this report.
5. I researched, verified, analyzed, and reported on any current agreement for sale for the subject property, any offering for sale of the subject property in the twelve months prior to the effective date of this appraisal, and the prior sales of the subject property for a minimum of three years prior to the effective date of this appraisal, unless otherwise indicated in this report.
6. I researched, verified, analyzed, and reported on the prior sales of the comparable sales for a minimum of one year prior to the date of sale of the comparable sale, unless otherwise indicated in this report.
7. I selected and used comparable sales that are locationally, physically, and functionally the most similar to the subject property.
8. I have not used comparable sales that were the result of combining a land sale with the contract purchase price of a home that has been built or will be built on the land.
9. I have reported adjustments to the comparable sales that reflect the market's reaction to the differences between the subject property and the comparable sales.
10. I verified, from a disinterested source, all information in this report that was provided by parties who have a financial interest in the sale or financing of the subject property.
11. I have knowledge and experience in appraising this type of property in this market area.
12. I am aware of, and have access to, the necessary and appropriate public and private data sources, such as multiple listing services, tax assessment records, public land records and other such data sources for the area in which the property is located.
13. I obtained the information, estimates, and opinions furnished by other parties and expressed in this appraisal report from reliable sources that I believe to be true and correct.
14. I have taken into consideration the factors that have an impact on value with respect to the subject neighborhood, subject property, and the proximity of the subject property to adverse influences in the development of my opinion of market value. I have noted in this appraisal report any adverse conditions (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) observed during the inspection of the subject property or that I became aware of during the research involved in performing this appraisal. I have considered these adverse conditions in my analysis of the property value, and have reported on the effect of the conditions on the value and marketability of the subject property.
15. I have not knowingly withheld any significant information from this appraisal report and, to the best of my knowledge, all statements and information in this appraisal report are true and correct.
16. I stated in this appraisal report my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the assumptions and limiting conditions in this appraisal report.
17. I have no present or prospective interest in the property that is the subject of this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or opinion of market value in this appraisal report on the race, color, religion, sex, age, marital status, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property or on any other basis prohibited by law.
18. My employment and/or compensation for performing this appraisal or any future or anticipated appraisals was not conditioned on any agreement or understanding, written or otherwise, that I would report (or present analysis supporting) a predetermined specific value, a predetermined minimum value, a range or direction in value, a value that favors the cause of any party, or the attainment of a specific result or occurrence of a specific subsequent event (such as approval of a pending mortgage loan application).
19. I personally prepared all conclusions and opinions about the real estate that were set forth in this appraisal report. If I relied on significant real property appraisal assistance from any individual or individuals in the performance of this appraisal or the preparation of this appraisal report, I have named such individual(s) and disclosed the specific tasks performed in this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in this appraisal report; therefore, any change made to this appraisal is unauthorized and I will take no responsibility for it.
20. I identified the lender/client in this appraisal report who is the individual, organization, or agent for the organization that ordered and will receive this appraisal report.



## Uniform Residential Appraisal Report

3004917  
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21. The lender/client may disclose or distribute this appraisal report to: the borrower; another lender at the request of the borrower; the mortgagee or its successors and assigns; mortgage insurers; government sponsored enterprises; other secondary market participants; data collection or reporting services; professional appraisal organizations; any department, agency, or instrumentality of the United States; and any state, the District of Columbia, or other jurisdictions; without having to obtain the appraiser's or supervisory appraiser's (if applicable) consent. Such consent must be obtained before this appraisal report may be disclosed or distributed to any other party (including, but not limited to, the public through advertising, public relations, news, sales, or other media).

22. I am aware that any disclosure or distribution of this appraisal report by me or the lender/client may be subject to certain laws and regulations. Further, I am also subject to the provisions of the Uniform Standards of Professional Appraisal Practice that pertain to disclosure or distribution by me.

23. The borrower, another lender at the request of the borrower, the mortgagee or its successors and assigns, mortgage insurers, government sponsored enterprises, and other secondary market participants may rely on this appraisal report as part of any mortgage finance transaction that involves any one or more of these parties.

24. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

25. Any intentional or negligent misrepresentation(s) contained in this appraisal report may result in civil liability and/or criminal penalties including, but not limited to, fine or imprisonment or both under the provisions of Title 18, United States Code, Section 1001, et seq., or similar state laws.

SUPERVISORY APPRAISER'S CERTIFICATION: The Supervisory Appraiser certifies and agrees that:

1. I directly supervised the appraiser for this appraisal assignment, have read the appraisal report, and agree with the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
2. I accept full responsibility for the contents of this appraisal report including, but not limited to, the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
3. The appraiser identified in this appraisal report is either a sub-contractor or an employee of the supervisory appraiser (or the appraisal firm), is qualified to perform this appraisal, and is acceptable to perform this appraisal under the applicable state law.
4. This appraisal report complies with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
5. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

APPRAISER Steven A Strom

Signature   
 Name Steven A Strom  
 Company Name Appraisals 2-Day  
 Company Address 8603 Shadow Lane  
 Fountain Valley, CA 92708  
 Telephone Number 714-499-6409  
 Email Address 33strom@gmail.com  
 Date of Signature and Report 08/13/2020  
 Effective Date of Appraisal 08/04/2020  
 State Certification # AR027644  
 or State License #  
 or Other (describe) State #  
 State CA  
 Expiration Date of Certification or License 05/23/2022

## ADDRESS OF PROPERTY APPRAISED

1054 S Verde St  
 Anaheim, CA 92805  
 APPRAISED VALUE OF SUBJECT PROPERTY \$ 610,000

## LENDER/CLIENT

Name AmeriMac Appraisal Management  
 Company Name American Financial Network Inc.  
 Company Address 10 Pointe Drive #330, Brea, CA 92821  
 Email Address

## SUPERVISORY APPRAISER (ONLY IF REQUIRED)

Signature  
 Name  
 Company Name  
 Company Address  
 Telephone Number  
 Email Address  
 Date of Signature  
 State Certification #  
 or State License #  
 State  
 Expiration Date of Certification or License

## SUBJECT PROPERTY

- ☐ Did not inspect subject property  
☐ Did inspect exterior of subject property from street  
 Date of Inspection  
☐ Did inspect interior and exterior of subject property  
 Date of Inspection

## COMPARABLE SALES

- ☐ Did not inspect exterior of comparable sales from street  
☐ Did inspect exterior of comparable sales from street  
 Date of Inspection

3004917  
File # 8750488101

Fannie Mae Form 1004 March 2005



UNIFORM APPRAISAL DATASET (UAD) DEFINITIONS ADDENDUM  
(Source: Fannie Mae UAD Appendix D: UAD Field-Specific Standardization Requirements)

Condition Ratings and Definitions

C1

The improvements have been very recently constructed and have not previously been occupied. The entire structure and all components are new and the dwelling features no physical depreciation.\*

\*Note: Newly constructed improvements that feature recycled materials and/or components can be considered new dwellings provided that the dwelling is placed on a 100% new foundation and the recycled materials and the recycled components have been rehabilitated/re-manufactured into like-new condition. Recently constructed improvements that have not been previously occupied are not considered "new" if they have any significant physical depreciation (i.e., newly constructed dwellings that have been vacant for an extended period of time without adequate maintenance or upkeep).

C2

The improvements feature no deferred maintenance, little or no physical depreciation, and require no repairs. Virtually all building components are new or have been recently repaired, refinished, or rehabilitated. All outdated components and finishes have been updated and/or replaced with components that meet current standards. Dwellings in this category either are almost new or have been recently completely renovated and are similar in condition to new construction.

C3

The improvements are well maintained and feature limited physical depreciation due to normal wear and tear. Some components, but not every major building component, may be updated or recently rehabilitated. The structure has been well maintained.

C4

The improvements feature some minor deferred maintenance and physical deterioration due to normal wear and tear. The dwelling has been adequately maintained and requires only minimal repairs to building components/mechanical systems and cosmetic repairs. All major building components have been adequately maintained and are functionally adequate.

C5

The improvements feature obvious deferred maintenance and are in need of some significant repairs. Some building components need repairs, rehabilitation, or updating. The functional utility and overall livability is somewhat diminished due to condition, but the dwelling remains useable and functional as a residence.

C6

The improvements have substantial damage or deferred maintenance with deficiencies or defects that are severe enough to affect the safety, soundness, or structural integrity of the improvements. The improvements are in need of substantial repairs and rehabilitation, including many or most major components.

Quality Ratings and Definitions

Q1

Dwellings with this quality rating are usually unique structures that are individually designed by an architect for a specified user. Such residences typically are constructed from detailed architectural plans and specifications and feature an exceptionally high level of workmanship and exceptionally high-grade materials throughout the interior and exterior of the structure. The design features exceptionally high-quality exterior refinements and ornamentation, and exceptionally high-quality interior refinements. The workmanship, materials, and finishes throughout the dwelling are of exceptionally high quality.

Q2

Dwellings with this quality rating are often custom designed for construction on an individual property owner's site. However, dwellings in this quality grade are also found in high-quality tract developments featuring residence constructed from individual plans or from highly modified or upgraded plans. The design features detailed, high quality exterior ornamentation, high-quality interior refinements, and detail. The workmanship, materials, and finishes throughout the dwelling are generally of high or very high quality.

Q3

Dwellings with this quality rating are residences of higher quality built from individual or readily available designer plans in above-standard residential tract developments or on an individual property owner's site. The design includes significant exterior ornamentation and interiors that are well finished. The workmanship exceeds acceptable standards and many materials and finishes throughout the dwelling have been upgraded from "stock" standards.

Q4

Dwellings with this quality rating meet or exceed the requirements of applicable building codes. Standard or modified standard building plans are utilized and the design includes adequate fenestration and some exterior ornamentation and interior refinements. Materials, workmanship, finish, and equipment are of stock or builder grade and may feature some upgrades.

## UNIFORM APPRAISAL DATASET (UAD) DEFINITIONS ADDENDUM

(Source: Fannie Mae UAD Appendix D: UAD Field-Specific Standardization Requirements)

### Quality Ratings and Definitions (continued)

#### Q5

Dwellings with this quality rating feature economy of construction and basic functionality as main considerations. Such dwellings feature a plain design using readily available or basic floor plans featuring minimal fenestration and basic finishes with minimal exterior ornamentation and limited interior detail. These dwellings meet minimum building codes and are constructed with inexpensive, stock materials with limited refinements and upgrades.

#### Q6

Dwellings with this quality rating are of basic quality and lower cost; some may not be suitable for year-round occupancy. Such dwellings are often built with simple plans or without plans, often utilizing the lowest quality building materials. Such dwellings are often built or expanded by persons who are professionally unskilled or possess only minimal construction skills. Electrical, plumbing, and other mechanical systems and equipment may be minimal or non-existent. Older dwellings may feature one or more substandard or non-conforming additions to the original structure.

### Definitions of Not Updated, Updated, and Remodeled

#### Not Updated

Little or no updating or modernization. This description includes, but is not limited to, new homes.

Residential properties of fifteen years of age or less often reflect an original condition with no updating, if no major components have been replaced or updated. Those over fifteen years of age are also considered not updated if the appliances, fixtures, and finishes are predominantly dated. An area that is 'Not Updated' may still be well maintained and fully functional, and this rating does not necessarily imply deferred maintenance or physical/functional deterioration.

#### Updated

The area of the home has been modified to meet current market expectations. These modifications are limited in terms of both scope and cost.

An updated area of the home should have an improved look and feel, or functional utility. Changes that constitute updates include refurbishment and/or replacing components to meet existing market expectations. Updates do not include significant alterations to the existing structure.

#### Remodeled

Significant finish and/or structural changes have been made that increase utility and appeal through complete replacement and/or expansion.

A remodeled area reflects fundamental changes that include multiple alterations. These alterations may include some or all of the following: replacement of a major component (cabinet(s), bathtub, or bathroom tile), relocation of plumbing/gas fixtures/appliances, significant structural alterations (relocating walls, and/or the addition of square footage). This would include a complete gutting and rebuild.

### Explanation of Bathroom Count

Three-quarter baths are counted as a full bath in all cases. Quarter baths (baths that feature only a toilet) are not included in the bathroom count. The number of full and half baths is reported by separating the two values using a period, where the full bath count is represented to the left of the period and the half bath count is represented to the right of the period.

#### Example:

3.2 indicates three full baths and two half baths.

(Source: Fannie Mae UAD Appendix D: UAD Field-Specific Standardization Requirements)

(Source: Fannie Mae UAD Appendix D: UAD Field-Specific Standardization Requirements)

### Abbreviations Used in Data Standardization Text

Abbreviation	Full Name	Fields Where This Abbreviation May Appear
ac	Acres	Area, Site
AdjPrk	Adjacent to Park	Location
AdjPwr	Adjacent to Power Lines	Location
A	Adverse	Location & View
Armlth	Arms Length Sale	Sale or Financing Concessions
ba	Bathroom(s)	Basement & Finished Rooms Below Grade
br	Bedroom	Basement & Finished Rooms Below Grade
B	Beneficial	Location & View
Cash	Cash	Sale or Financing Concessions
CtySky	City View Skyline View	View
CtyStr	City Street View	View
Comm	Commercial Influence	Location
c	Contracted Date	Date of Sale/Time
Conv	Conventional	Sale or Financing Concessions
CrtOrd	Court Ordered Sale	Sale or Financing Concessions
DOM	Days On Market	Data Sources
e	Expiration Date	Date of Sale/Time
Estate	Estate Sale	Sale or Financing Concessions
FHA	Federal Housing Authority	Sale or Financing Concessions
GlfCse	Golf Course	Location
Glfvw	Golf Course View	View
Ind	Industrial	Location & View
in	Interior Only Stairs	Basement & Finished Rooms Below Grade
Lndfl	Landfill	Location
LtdSght	Limited Sight	View
Listing	Listing	Sale or Financing Concessions
Mtn	Mountain View	View
N	Neutral	Location & View
NonArm	Non-Arms Length Sale	Sale or Financing Concessions
BsyRd	Busy Road	Location
o	Other	Basement & Finished Rooms Below Grade
Prk	Park View	View
Pstrl	Pastoral View	View
PwrLn	Power Lines	View
PubTrn	Public Transportation	Location
rr	Recreational (Rec) Room	Basement & Finished Rooms Below Grade
Relo	Relocation Sale	Sale or Financing Concessions
REO	REO Sale	Sale or Financing Concessions
Res	Residential	Location & View
RH	USDA - Rural Housing	Sale or Financing Concessions
s	Settlement Date	Date of Sale/Time
Short	Short Sale	Sale or Financing Concessions
sf	Square Feet	Area, Site, Basement
sqm	Square Meters	Area, Site
Unk	Unknown	Date of Sale/Time
VA	Veterans Administration	Sale or Financing Concessions
w	Withdrawn Date	Date of Sale/Time
wo	Walk Out Basement	Basement & Finished Rooms Below Grade
wu	Walk Up Basement	Basement & Finished Rooms Below Grade
WtrFr	Water Frontage	Location
Wtr	Water View	View
Woods	Woods View	View

### Other Appraiser-Defined Abbreviations

[illegible]

### Subject Photo Page

Borrower	June S Jones					
Property Address	1054 S Verde St					
City	Anaheim	County	Orange	State	CA	Zip Code 92805
Lender/Client	American Financial Network Inc.					



#### Subject Front

1054 S Verde St

Sales Price

G.B.A.

Age/Yr.Blt. 52



#### Subject Rear



#### Subject Street



Subject Photo Page

Borrower	June S Jones					
Property Address	1054 S Verde St					
City	Anaheim	County	Orange	State	CA	Zip Code 92805
Lender/Client	American Financial Network Inc.					



**Opposite Street**  
1054 S Verde St

1,235  
6  
3  
2.0  
N;Res;  
N;Res;  
6110 sf  
Q3  
52



**Side**



**Alternate Side**

Photo Addendum

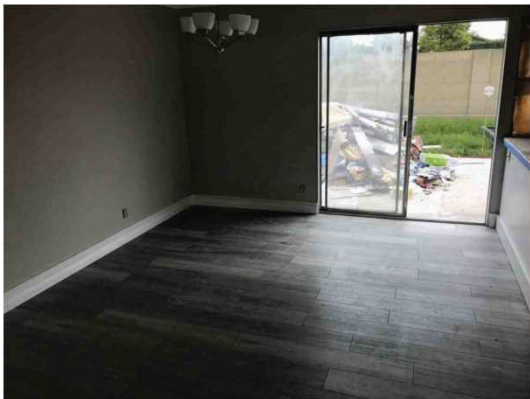
Borrower	June S Jones					
Property Address	1054 S Verde St					
City	Anaheim	County	Orange	State	CA	Zip Code 92805
Lender/Client	American Financial Network Inc.					



Kitchen



Living Room



Dining Room



Bedroom



Bathroom



Bathroom

**Photo Addendum**

Borrower	June S Jones					
Property Address	1054 S Verde St					
City	Anaheim	County	Orange	State	CA	Zip Code 92805
Lender/Client	American Financial Network Inc.					



**Bedroom**



**Bathroom**



**Bedroom**



**Water Heater Double Strapped**



**Smoke Alarm/Carbon Monoxide Detector**



## Comparable Photo Page

Borrower	June S Jones					
Property Address	1054 S Verde St					
City	Anaheim	County	Orange	State	CA	Zip Code 92805
Lender/Client	American Financial Network Inc.					



### Comparable 1

1022 S Verde St  
Sales Price 602,000  
G.B.A.  
Age/Yr.Blt. 52



### Comparable 2

1803 E Bassett Way  
Sales Price 615,000  
G.B.A.  
Age/Yr.Blt. 50



### Comparable 3

1220 E Clifpark Way  
Sales Price 630,000  
G.B.A.  
Age/Yr.Blt. 51



### Comparable Photo Page

Borrower	June S Jones					
Property Address	1054 S Verde St					
City	Anaheim	County	Orange	State	CA	Zip Code 92805
Lender/Client	American Financial Network Inc.					



#### Comparable 4

1136 S Groveland Pl  
Sales Price 630,000  
G.B.A.  
Age/Yr.Blt. 61

#### Comparable 5

Sales Price  
G.B.A.  
Age/Yr.Blt.

#### Comparable 6

Sales Price  
G.B.A.  
Age/Yr.Blt.

## Market Conditions Addendum to the Appraisal Report

3004917  
File No. 8750488101

The purpose of this addendum is to provide the lender/client with a clear and accurate understanding of the market trends and conditions prevalent in the subject neighborhood. This is a required addendum for all appraisal reports with an effective date on or after April 1, 2009.						
Property Address		1054 S Verde St		City	Anaheim	State CA ZIP Code 92805
Borrower June S Jones						
<b>Instructions:</b> The appraiser must use the information required on this form as the basis for his/her conclusions, and must provide support for those conclusions, regarding housing trends and overall market conditions as reported in the Neighborhood section of the appraisal report form. The appraiser must fill in all the information to the extent it is available and reliable and must provide analysis as indicated below. If any required data is unavailable or is considered unreliable, the appraiser must provide an explanation. It is recognized that not all data sources will be able to provide data for the shaded areas below; if it is available, however, the appraiser must include the data in the analysis. If data sources provide the required information as an average instead of the median, the appraiser should report the available figure and identify it as an average. Sales and listings must be properties that compete with the subject property, determined by applying the criteria that would be used by a prospective buyer of the subject property. The appraiser must explain any anomalies in the data, such as seasonal markets, new construction, foreclosures, etc.						
<b>Inventory Analysis</b>		Prior 7-12 Months	Prior 4-6 Months	Current - 3 Months	Overall Trend	
Total # of Comparable Sales (Settled)	26	9	17	<input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining		
Absorption Rate (Total Sales/Months)	4.33	3.00	5.67	<input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining		
Total # of Comparable Active Listings	n/a	n/a	1	<input type="checkbox"/> Declining <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Increasing		
Months of Housing Supply (Total Listings/Ab.Rate)	n/a	n/a	0.2	<input type="checkbox"/> Declining <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Increasing		
<b>Median Sale &amp; List Price, DOM, Sale/List %</b>		Prior 7-12 Months	Prior 4-6 Months	Current - 3 Months	Overall Trend	
Median Comparable Sale Price	623,000	613,000	629,000	<input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining		
Median Comparable Sales Days on Market	28	27	34	<input type="checkbox"/> Declining <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Increasing		
Median Comparable List Price	617,000	609,000	621,000	<input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining		
Median Comparable Listings Days on Market	n/a	n/a	29	<input type="checkbox"/> Declining <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Increasing		
Median Sale Price as % of List Price	101%	101%	101%	<input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining		
Seller-(developer, builder, etc.)paid financial assistance prevalent?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Declining <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Increasing		
Explain in detail the seller concessions trends for the past 12 months (e.g., seller contributions increased from 3% to 5%, increasing use of buydowns, closing costs, condo fees, options, etc.). Sellers typically pay 0-2% for buyer's closing costs.						
Are foreclosure sales (REO sales) a factor in the market? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, explain (including the trends in listings and sales of foreclosed properties). There is evidence of REO/Fordclosure Sales. But this does not appear to be a major factor.						
Cite data sources for above information. The CRMLS MLS was the data source used to complete the Market Conditions Addendum.						
Summarize the above information as support for your conclusions in the Neighborhood section of the appraisal report form. If you used any additional information, such as an analysis of pending sales and/or expired and withdrawn listings, to formulate your conclusions, provide both an explanation and support for your conclusions. Closed, active, backup and pending sales were researched within the subject's market area to determine the appraiser's conclusions.						
<b>If the subject is a unit in a condominium or cooperative project, complete the following:</b>						
<b>Subject Project Data</b>		Prior 7-12 Months	Prior 4-6 Months	Current - 3 Months	Overall Trend	
Total # of Comparable Sales (Settled)				<input type="checkbox"/> Increasing <input type="checkbox"/> Stable <input type="checkbox"/> Declining		
Absorption Rate (Total Sales/Months)				<input type="checkbox"/> Increasing <input type="checkbox"/> Stable <input type="checkbox"/> Declining		
Total # of Active Comparable Listings				<input type="checkbox"/> Declining <input type="checkbox"/> Stable <input type="checkbox"/> Increasing		
Months of Unit Supply (Total Listings/Ab.Rate)				<input type="checkbox"/> Declining <input type="checkbox"/> Stable <input type="checkbox"/> Increasing		
Are foreclosure sales (REO sales) a factor in the project?		<input type="checkbox"/> Yes <input type="checkbox"/> No		If yes, indicate the number of REO listings and explain the trends in listings and sales of foreclosed properties.		
Summarize the above trends and address the impact on the subject unit and project.						
<b>APPRaiser</b>						
Signature		Signature				
Appraiser Name Steven A Strom		Supervisory Appraiser Name				
Company Name Appraisals 2-Day		Company Name				
Company Address 8603 Shadow Lane, Fountain Valley, CA 92708		Company Address				
State License/Certification # AR027644 State CA		State License/Certification #		State		
Email Address 33strom@gmail.com		Email Address				

NAVIGATORS INSURANCE COMPANY

THIS IS BOTH A CLAIMS MADE AND REPORTED INSURANCE POLICY.

THIS POLICY APPLIES TO THOSE CLAIMS THAT ARE FIRST MADE AGAINST THE INSURED AND REPORTED IN WRITING TO THE COMPANY DURING THE POLICY PERIOD.

PLEASE READ THIS POLICY CAREFULLY.

REAL ESTATE APPRAISERS ERRORS AND OMISSIONS INSURANCE POLICY  
DECLARATIONS

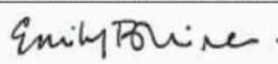
POLICY NUMBER: PH20RALR31342IV RENEWAL OF: PH19RALR31342IV

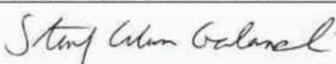
1. NAMED INSURED: Steven Strom DBA Appraisals 2-Day
2. ADDRESS: 8603 Shadow Lane  
FOUNTAIN VALLEY, CA 92708
3. POLICY PERIOD: FROM: 02/04/2020 TO: 02/04/2021  
12:01 A.M. Standard Time at the address of the **Named Insured** as stated in Number 2 above.
4. LIMITS OF LIABILITY:  
A. \$ 1,000,000 Damages Limit of Liability – Each Claim  
B. \$ 1,000,000 Claim Expenses Limit of Liability – Each Claim  
C. \$ 1,000,000 Damages Limit of Liability – Policy Aggregate  
D. \$ 1,000,000 Claim Expenses Limit of Liability – Policy Aggregate
5. DEDUCTIBLE (Inclusive of claim expenses): A. \$ 500 Each Claim  
B. \$ 1,000 Aggregate
6. PREMIUM: \$ 680.00
7. RETROACTIVE DATE: 02/04/2015
8. FORMS ATTACHED:  
RiskMgmt, NAV ML-002, CA Notice, NAV RAL DEC, NAV RAL NIC PF, NAV RAL 003, NAV RAL 300 CA, NAV RAL 011, NAV G3418

PROGRAM ADMINISTRATOR: RealCare Insurance Marketing, Inc.

By Acceptance of this policy the Insured agrees that the statements in the Declarations and the Application and any attachments hereto are the Insured's agreements and representations and that this policy embodies all agreements existing between the Insured and the Company or any of its representatives relating to this insurance.


IN WITNESS WHEREOF, we have caused this policy to be signed by our President and Secretary.

  
[Emily Miner]  
Secretary

  
[Stanley A. Galanski]  
President



**License**



Business, Consumer Services & Housing Agency  
**BUREAU OF REAL ESTATE APPRAISERS**  
**REAL ESTATE APPRAISER LICENSE**

**Steven A. Strom**

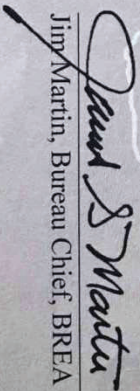
has successfully met the requirements for a license as a residential real estate appraiser in the State of California and is, therefore, entitled to use the title:

“Certified Residential Real Estate Appraiser”

This license has been issued in accordance with the provisions of the Real Estate Appraisers' Licensing and Certification Law.

BREA APPRAISER IDENTIFICATION NUMBER: AR 027644

Effective Date: May 24, 2020  
Date Expires: May 23, 2022

  
Jim Martin, Bureau Chief, BREA

3052038

THIS DOCUMENT CONTAINS A TRUE WATERMARK - HOLD UP TO LIGHT TO SEE CHAIN LINK

## Plat Map

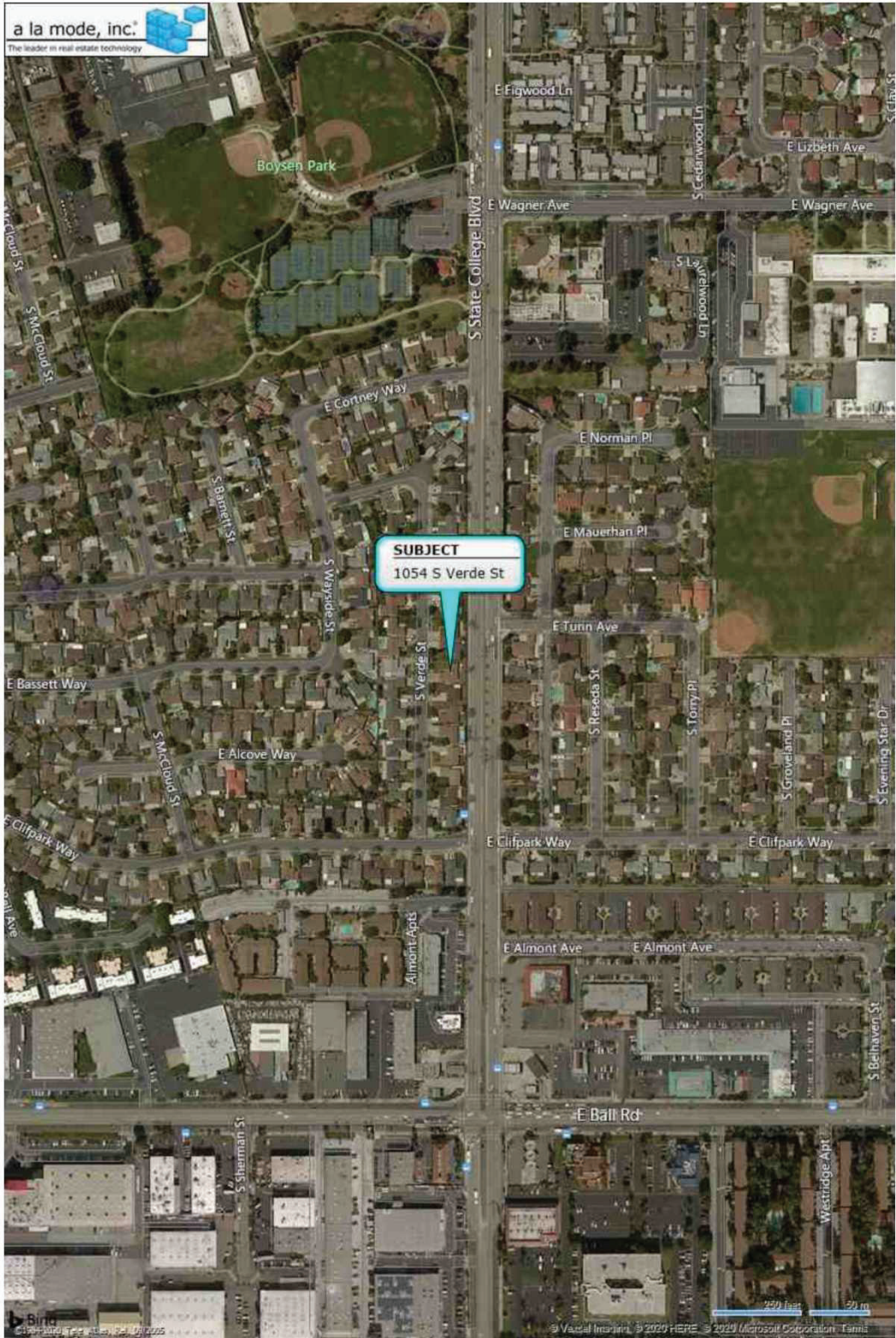
Borrower	June S Jones				
Property Address	1054 S Verde St				
City	Anaheim	County	Orange	State	CA Zip Code 92805
Lender/Client	American Financial Network Inc.				





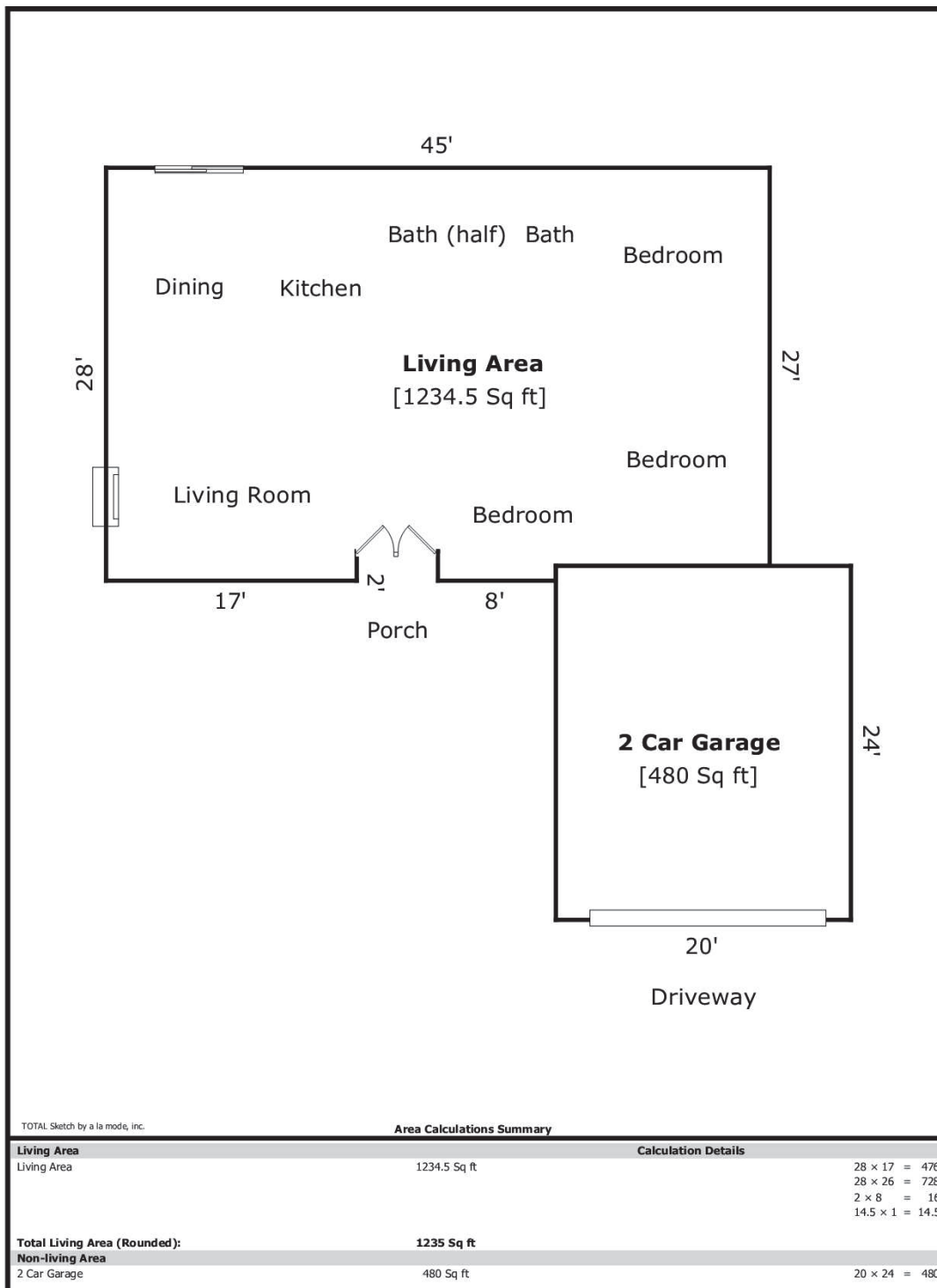
Aerial Map

Borrower	June S Jones						
Property Address	1054 S Verde St						
City	Anaheim	County	Orange	State	CA	Zip Code	92805
Lender/Client	American Financial Network Inc.						



## Building Sketch

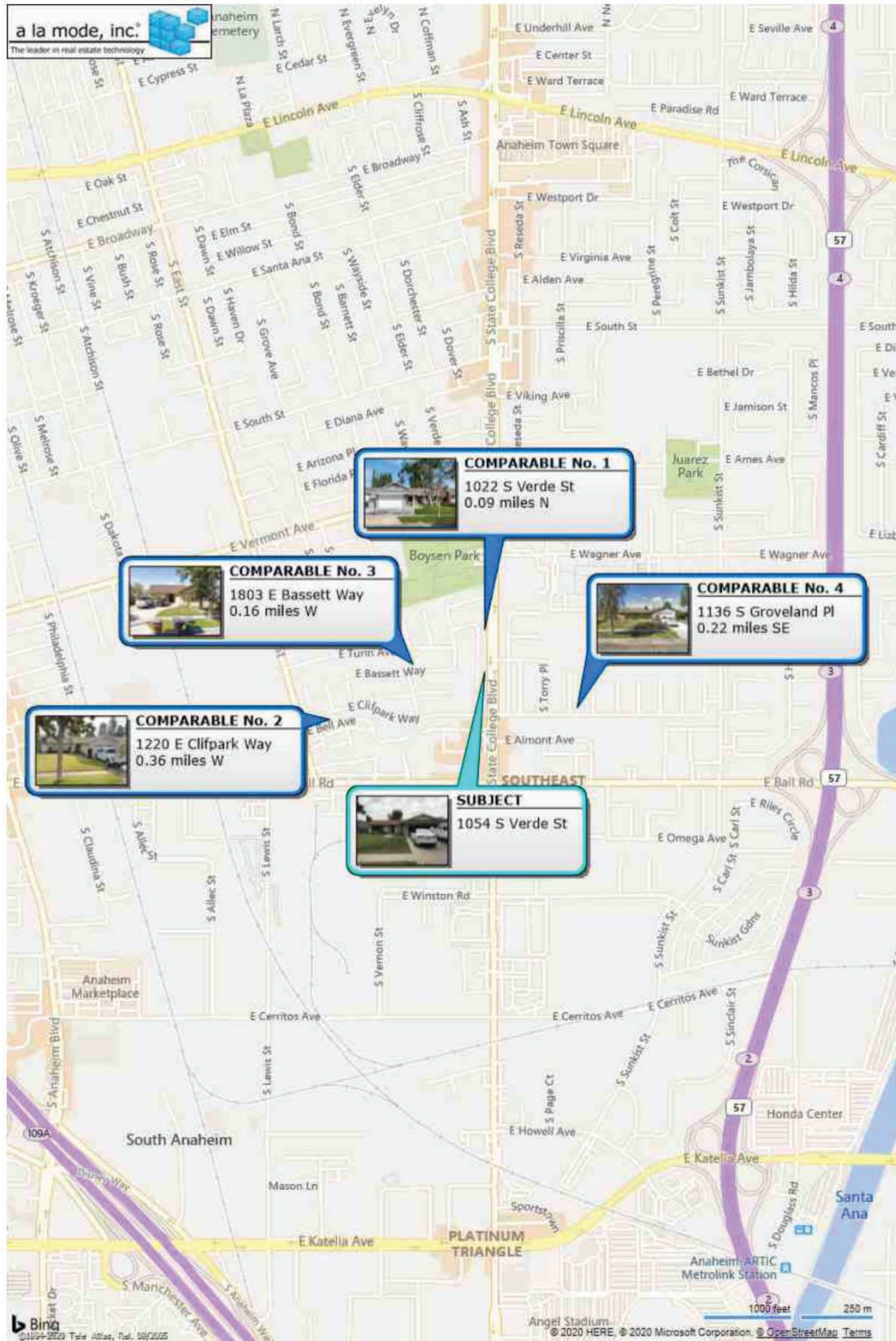
Borrower	June S Jones					
Property Address	1054 S Verde St					
City	Anaheim	County	Orange	State	CA	Zip Code 92805
Lender/Client	American Financial Network Inc.					





### Location Map

Borrower	June S Jones						
Property Address	1054 S Verde St						
City	Anaheim	County	Orange	State	CA	Zip Code	92805
Lender/Client	American Financial Network Inc.						





# Exhibit 2

(PROVIDED VIA EMAIL FOR CONFIDENTIALITY)  
(MOTION TO FILE UNDER SEAL FORTHCOMING)

# Exhibit 3

(PROVIDED VIA EMAIL FOR CONFIDENTIALITY)  
(MOTION TO FILE UNDER SEAL FORTHCOMING)



1 NOA

2 Elizabeth Brickfield, Esq. NSB #6236  
3 DAWSON & LORDAHL PLLC  
4 8925 West Post Road, Suite 210  
5 Las Vegas, Nevada 89148  
6 Telephone: (702) 476-6440  
7 Facsimile: (702) 476-6442  
8 [ebrickfield@dlnevadalaw.com](mailto:ebrickfield@dlnevadalaw.com)  
9 *Guardian ad Litem for Kathleen Jones*

6 DISTRICT COURT  
7 CLARK COUNTY, NEVADA

8 In the Matter of the Guardianship of:

9 KATHLEEN JONES,

10 Protected Person.

Case No.: G-19-052263-A

Dept. No.: B

Hearing Date: May 31, 2021

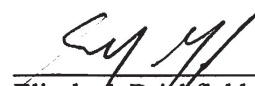
Hearing Time: 1:00 p.m.

12  
13 **REPORT TO THE COURT**

14 Attached is Report from Elizabeth Brickfield, Esq., the appointed Guardian ad Litem  
15 Kathleen Jones, to the Honorable Linda Marquis, dated this March 29, 2021.

16  
17 Dated: March 29, 2021.

18  
19 DAWSON & LORDHAL PLLC

20  
21   
22 Elizabeth Brickfield, Esq. NSB #6236  
23 8925 West Post Road, Suite 210  
24 Las Vegas, Nevada 89148  
25 Telephone: (702) 476-6440  
26 Facsimile: (702) 476-6442  
27 [ebrickfield@dlnevadalaw.com](mailto:ebrickfield@dlnevadalaw.com)  
28 *Guardian ad Litem for Kathleen Jones*

**CERTIFICATE OF SERVICE**

I hereby certify that on the day of 29<sup>th</sup> day of March 2021, I caused a true and correct copy of the Report to the Court filed on March 29, 2021, to be served through the Court's electronic filing system or by depositing the same in the United States mail in Las Vegas, Nevada, first class postage prepaid, address to the following parties:

Maria L. Parra-Sandoval, Esq.  
LEGAL AID OF SOUTHERN  
NEVADA  
725 E. Charleston Blvd.  
Las Vegas, NV 89104  
[mparra@lasn.org](mailto:mparra@lasn.org)  
*Attorney for Protected Person*

Ampersand Man  
2824 High Sail Court  
Las Vegas, Nevada 89117

Jen Adamo  
14 Edgewater Drive  
Magnolia, DE 19962

Courtney Simmons  
765 Kimbark Avenue  
San Bernardino, CA 92407

Teri Butler  
586 N. Magdalena St.  
Dewey, AZ 86327

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Anaheim, CA 92805

Ryan O'Neal  
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Fullerton, CA 92832

Tiffany O'Neal  
177 N. Singingwood Street, Unit 13  
Orange, CA 92869

  
An Employee of Dawson & Lordahl PLLC



DAWSON • LORDAHL  
Trust, Estate, Business & Family Law

March 29, 2021

Hon. Linda Marquis  
Family Court Judge  
Eighth Judicial District Court  
Department B  
200 Lewis Avenue  
Las Vegas, NV 89155

Re: Guardianship of Kathleen June Jones G-19-052263-A

Dear Judge Marquis:

On February 16, 2021, you appointed me as Guardian ad Litem for Kathleen June Jones (the "Protected Person" or "Ms. Jones") on the following issues:

Scheduled opportunities for the Protected Person to elect to speak with and/or visit in person with her adult daughters<sup>1</sup> and whether the Guardian has an obligation to facilitate, prompt, encourage, plan, schedule, and/or create an environment that promotes an opportunity for continued communication between Protected Person and her adult daughters, based upon the current level of care and needs of the Protected Person.

To meet the Court's assignment, I have done the following: (i) reviewed the pleadings relevant to the issues of visitation and communication and the Physician's Certificate and accompanying report; (ii) met with Ms. Jones by telephone on 2/24/21 and in person on 3/25/21; Ms. Jones was accompanied by LACSN counsel; (iii) met individually with Ms. Jones' five children by separate telephone or Zoom conferences; the children who are represented by counsel were accompanied by counsel. Each meeting with a child lasted approximately one hour; the two meetings with Ms. Jones totaled one hour.; and (iv) separate telephone conversations with the respective children's counsel.

I am reporting to the Court and the parties my conclusions and recommendations that I consider to be in Ms. Jones' best interest.

---

<sup>1</sup> Although the Court's order was addressed to the four daughters, Scott Simmons wants to interact with his mother.  
[www.DLNevadaLaw.com](http://www.DLNevadaLaw.com)

My conclusions are as follows:

- (1) Ms. Jones wants visits and communications with her children and grandchildren and these visits and communications are in her best interest;
- (2) Ms. Jones' children and grandchildren want to visit and communicate with her;
- (3) Ms. Jones' lacks the ability to manage, initiate or plan these communications and visits;
- (4) Kimberly Jones has not encouraged or facilitated these visits and communications; and
- (5) Kimberly Jones is unlikely to encourage and facilitate visits without supervision by the Court and even then the Court will be required to expend significant efforts to make sure the visitation occurs.

I am an attorney who has practiced in Nevada in the areas of estate planning, probate and trust administration, guardianship and related litigation matters for the past twenty-five years. If Ms. Jones were to present to me as a potential client, I would decline to prepare estate planning documents for her in the absence of a concurrent medical opinion by a board-certified physician that she has testamentary capacity.

Ms. Jones is well cared for. She was well groomed, the house was clean with clear spaces allowing Ms. Jones use her walker and the dog was well groomed and well behaved. Ms. Jones uses a walker and needs assistance rising from patio chairs. It is apparent that she is in good physical health.

Although my conversations with Ms. Jones were directed and limited to the issues that the Court asked me to address, it is apparent to me that Ms. Jones' mental decline is more advanced than her physical decline, that she lacks the ability to comprehend or answer compound questions and that she lacks decision making ability or schedule management. It is clear to me that Ms. Jones has no concept of time or numbers: her descriptions of when she had last seen or spoken with each of her four children were about "a week" or "the last two weeks". She has specific recollections of the place where she last saw one daughter. Ms. Jones told me her husband Jerry was dead. She volunteered that she would be moving to Anaheim and that she wanted to move to the Anaheim home. She could not tell me when she was moving.

In our conversation, Kimberly told me that Ms. Jones had recently lunched with a friend. When I asked Ms. Jones about eating out, she guessed that she had eaten out with Kimberly. She could not tell me the correct number of her grandchildren, but told me that she had recently spoken with Cameron and Courtney (Scott's children).

Ms. Jones is very clear that she wants to see all of her children and grandchildren, that she wants to see them in her home, in their homes, on overnights and vacations. Ms. Jones wants to spend time with her family members. She appears to be at that point in time when she will enjoy plans that have been made for her or visits in her home with



family members, but that she no longer has the ability to initiate such plans.

Ms. Jones wants to communicate with her children and grandchildren by telephone. She tells me that her children and grandchildren call her, she does not call them. Ms. Jones is hard of hearing, deaf in one ear and dislikes wearing her hearing aid. She tells me that she prefers a telephone with a receiver, i.e. a landline. Ms. Jones and her children tell me that telephone conversations with Ms. Jones tend to be of short duration (two to four minutes). Mw own experience with Ms. Jones demonstrated the difficulties she has with a cell phone.

In our first conversation, Ms. Jones told me that she did not want a schedule for visits and telephone calls. She did not raise that topic at our in-person meeting. However, because Ms. Jones lacks the ability or desire to initiate telephone calls or schedule visits, it is in Ms. Jones' best interest to have a caregiver or guardian who encourages and arranges for such visits working with the children and grandchildren to ensure that the visits and telephone calls happen. In other words, given Ms. Jones' expressed desire to see and communicate with her children and grandchildren, their desire to see and communicate with their parent/grandparent, Ms. Jones' guardian should make this family interaction a top priority for the quality of Ms. Jones' life.

Ms. Jones' guardian should be facilitating and encouraging the mutual desire of parent and child to visit and communicate with each other on a regular basis. This does not have to be done with a planned schedule that Ms. Jones knows and consents to – frankly, I don't believe that Ms. Jones has the ability to comprehend or follow such a schedule.

This is not a family law custody matter. But most families communicate with each other to coordinate their visits and calls with their parents, as their parents age. They want to be sure that each sibling can visit with the parent and they want to be sure that the parent has a regular stream of family visitors and interactions. They want to help and they want to give the caregiver a break. Ms. Jones is fortunate that her children want to spend time with her, to make sure that she is ok and to enjoy her remaining time with her children and grandchildren. It is her guardian's responsibility to make this happen.

Even though we are talking about her mother and siblings., my concern is that Kimberly does not comprehend the desire of her mother and family members to interact with Ms. Jones. Kimberly does not understand or agree that these interactions when they occur in Ms. Jones' home should be outside of Kimberly's presence. In my conversation with Kimberly, she made clear that she will not agree that her siblings can visit Ms. Jones in her home without Kimberly's presence. Nor does she agree that she will encourage other visits or vacations between her mother and her siblings. She told me that she "would make" her mother visit with one particular sibling. That is not the language of a guardian working to encourage and facilitate the Protected Person's desire to visit and communicate with her children and grandchildren. Statements from all the children indicate that when these visits happen there is a lack of advance planning and sporadic

visitation with their mother since Kimberly became the guardian. Telephone calls or visits occur on short notice and at times that are close to court hearings. Children complain that they call their mother and their calls are not returned. It is unclear what notice June has of these proposed visits, that the duration has been explained to her or that she understands that she will return home and when.

Finally, Ms. Jones has indicated to me that she wants her children to know of her medical conditions and that she has made decisions for the disposition of her remains. Again, the ability to know your parent's medical conditions and to be able to say a final goodbye are inherent in the concept of visitation.

In summary, Ms. Jones' guardian, working with her children, must establish a mutually agreeable plan for Ms. Jones' interaction with her children and grandchildren that takes into account Ms. Jones' declining mental abilities, her desire to visit and communicate with her children and grandchildren, their desire to see and communicate with her and her declining physical abilities. Ms. Jones' guardian must encourage her interaction with her children and grandchildren. The plan should take into account how access will continue as Ms. Jones declines.

Visits and communications with family members is a basic right of every protected person. This Court should insist that Ms. Jones' rights and desires be carried out through a plan created with the involvement of all of Ms. Jones' children and put in place by the guardian.

Sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth Brickfield', with a stylized, cursive script.

Elizabeth Brickfield

Guardian ad Litem

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Location : [Family Courts](#) [Images Help](#)

## REGISTER OF ACTIONS

[CASE NO. G-19-052263-A](#)

In the Matter of the Guardianship of: Kathleen Jones, Protected Person(s)

§  
§  
§  
§  
§  
§  
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§

Case Type: **Guardianship of Adult**  
 Subtype: **General - Person & Estate**  
 Date Filed: **09/19/2019**  
 Location: **Department B**  
 Cross-Reference Case Number: **G052263**  
 Supreme Court No.: **81414**  
**81799**  
**83967**  
**84655**

---

### PARTY INFORMATION

---

<b>Guardian of Person and Estate</b>	<b>Friedman, Robyn</b> 2824 High Sail Court Las Vegas,, NV 89117	<b>Lead Attorneys</b> <b>John P. Michaelson</b> <i>Retained</i> 7027312333(W)
<b>Objector</b>	<b>Jones, Kimberly</b> 18543 Yorba Linda Blvd #146 Yorba Linda, CA 92886	<b>Pro Se</b>
<b>Petitioner</b>	<b>Friedman, Robyn</b> 2824 High Sail Court Las Vegas,, NV 89117	<b>John P. Michaelson</b> <i>Retained</i> 7027312333(W)
<b>Petitioner</b>	<b>Simmons, Donna</b> 1441 N. Redgum, Unit G Anaheim, CA 92806	<b>John P. Michaelson</b> <i>Retained</i> 7027312333(W)
<b>Protected Person</b>	<b>Jones, Kathleen June</b> 1315 Enchanted River DR Henderson, NV 89012	<b>Elizabeth R. Mikesell</b> <i>Retained</i> 702-386-1533(W)

---

### EVENTS & ORDERS OF THE COURT

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03/30/2021 [Settlement Conference](#) (8:30 AM) (Judicial Officer Marquis, Linda)

**Minutes**  
 03/30/2021 8:30 AM  
 - SETTLEMENT CONFERENCE Settlement Conference heard in Courtroom 10A, Regional Justice Center. Court Clerk was not present at the Settlement Conference. Matters not settled. Issues not resolved.

[Parties Present](#)  
[Return to Register of Actions](#)



**PET**

MICHAELSON & ASSOCIATES, LTD.  
John P. Michaelson, Esq.  
Nevada Bar No. 7822  
john@michaelsonlaw.com  
Ammon E. Francom, Esq.  
Nevada Bar No. 14196  
ammon@michaelsonlaw.com  
2200 Paseo Verde Parkway, Ste. 160  
Henderson, Nevada 89052  
Ph: (702) 731-2333  
Fax: (702) 731-2337  
*Attorneys for Robyn Friedman  
and Donna Simmons*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

IN THE MATTER OF THE GUARDIANSHIP )	Case Number: G-19-052263-A
OF THE PERSON AND ESTATE OF: )	Department: B
)	
Kathleen June Jones, )	
)	
An Adult Protected Person. )	
)	

**PETITION FOR VISITATION WITH THE PROTECTED PERSON**

<input type="checkbox"/> TEMPORARY GUARDIANSHIP	<input checked="" type="checkbox"/> GENERAL GUARDIANSHIP
<input type="checkbox"/> Person	<input type="checkbox"/> Person
<input type="checkbox"/> Estate <input type="checkbox"/> Summary Admin.	<input type="checkbox"/> Estate <input type="checkbox"/> Summary Admin.
<input type="checkbox"/> Person and Estate	<input checked="" type="checkbox"/> Person and Estate
<input type="checkbox"/> SPECIAL GUARDIANSHIP	<input type="checkbox"/> NOTICES / SAFEGUARDS
<input type="checkbox"/> Person	<input type="checkbox"/> Blocked Account
<input type="checkbox"/> Estate <input type="checkbox"/> Summary Admin.	<input type="checkbox"/> Bond Posted
<input type="checkbox"/> Person and Estate	<input type="checkbox"/> Public Guardian Bond

COMES NOW, pursuant to NRS 159.332, Robyn Friedman and Donna Simmons ("Petitioners" or "Robyn and Donna"), as family members and interested parties in this matter, by and through their attorneys at Michaelson & Associates, Ltd., and file this Petition for Visitation with the Protected Person and hereby alleges as follows:

**PETITIONERS AND OTHER MEMBERS OF JUNE'S FAMILY NEED A VISIT  
THEY CAN RELY ON, OUTSIDE KIM'S PRESENCE**

1. Petitioners request an order from this Honorable Court directing their sister Kimberly Jones ("Kim" or "Kimberly") to facilitate a visit to allow Petitioners and a number of other family members to see their mother/grandmother Kathleen June Jones ("mother", "grandmother", "June", "Ms. Jones" or "the protected person") on Saturday, May 8, 2021, from 10:00 a.m. to 7:00 p.m., without Kim being present. Petitioners request that Kim drop June off at 10:00 a.m. in the morning at the Holiday Inn Express & Suites located at 31573 Canyon Estates Dr, Lake Elsinore, California, and that Kim pick June up at 7:00 p.m. in the evening from the same location.

2. Mother's Day is on May 9, 2021. Petitioners and their families along with Scott Simmons and some of Ms. Jones' grandchildren wish to visit with their mother/grandmother outside the presence of Kim to celebrate the holiday.

3. The intention for the day is to have lunch, get nails done, and BBQ with the bulk of the extended family in California including children, grandchildren, and great grandchildren. The day's activities will take place in and around Donna's home located within four miles of the hotel where other family members are staying and where June would be dropped off and picked up. Petitioners will ensure ample opportunity for June to relax, nap if she chooses, or just sit and let family gather around if that is what she chooses. Of course, June's wishes to stay or leave will be respected at all times.

4. Petitioners feel it important to request the Court's intervention to schedule this visit because Kim's recent Memorandum of Status implies that family visits with June are to take place at the Anaheim Home. *See* Kim's Memorandum of Status filed on March 29, 2021 at ¶ 7, p. 3:18-22. Petitioners do not wish to visit June at the Anaheim Home because they do not feel safe around Kim and her boyfriend Dean Loggans. This fear was exacerbated when Kim informed this Court that she "will not be ordered to leave her house" when other family members



1 visit June at the Anaheim home. *Id.* at ¶ 7, p. 3:23. June's Anaheim property is not Kim's house.

2 5. More recently, Ms. Jones' legal aid attorney confirmed this position. In an email  
3 dated April 14, 2021, Ms. Maria Parra-Sandoval provided a proposed visitation schedule that  
4 states:

5 Hi John,

6 After a series of conversations with June, she has instructed me to reach out to  
7 her daughters in an effort to reach an agreeable resolution on the issue of  
8 visitation. June once again reaffirmed that she never wanted a visitation schedule  
9 or anything that resembled a visitation schedule, but she knows she doesn't have  
an unlimited budget to keep fighting her daughters. June has reached a point  
where she is exhausted and has been forced to concede on this issue due to her  
limited resources.

10 This is what June is willing to agree to:

- 11 • June wants visits to last one hour max with whoever visits her at her  
Anaheim house—any of her children and any of her grandchildren.
- 12 • June wants the visits on Friday mornings at 10:00 am. She can have a  
visitor from 10:00 am to 11:00 am and a second visitor from 11:00 am to noon.
- 13 • The only other place she is willing to travel to is Donna's house, and again  
one hour max there too.
- 14 • June does not want to stay overnight with anyone.
- 15 • To avoid communication issues, the guardian would leave June's Friday  
mornings open for any visitor (in-person visits or calls)
- 16 • Guardian must receive a confirmation (text or email) that that visitor is  
actually arriving, 24 hours before the scheduled visitor time.
- 17 • If no one-way confirmations are sent to the guardian by Thursday  
morning, the guardian is free to change plans for Friday mornings.
- 18 • If any of her children or grandchildren cannot visit June every Friday  
morning, they can send a confirmation to the guardian (on Thursday morning)  
19 and instead of a visit request to make June available for a call that Friday morning.
- 20 • If the visitor doesn't want the guardian around: (1) the guardian will leave  
the home to run errands while visitations are taking place OR (2) visitations will  
21 simply take place in the common areas of the Anaheim home. (**Guardian will not  
be forced to leave the home during visitations as she will have her own personal  
space to retreat to for the length of the visitation.**)
- 22 • June is happy to speak to anyone that calls her on any other day as she  
usually has her phone close by.

23 Please let me know if Robyn and Donna would be agreeable to this  
24 communication/visitation plan before I go around canvassing support from the  
25 other adult children. Based on my exchanges with James Beckstrom, the  
guardian seems to be agreeable to the above.

1 Also, I did not copy Elizabeth Brickfield as it is my belief that her service has  
2 concluded with the filing of her Report to the court.

3 Kind Regards,  
4 Maria Parra-Sandoval

(Emphasis added).

5 6. Moreover, Ms. Parra-Sandoval's proposed visitation schedule is completely  
6 unworkable for June in its own right and would preclude altogether the ability of June to have  
7 this requested Mother's Day celebration with her other children and grandchildren. Ms. Para-  
8 Sandoval's proposed schedule would limit all family visits with June to the Anaheim house on  
9 only Friday mornings from 10:00 a.m. to 12:00 p.m. with a max of two visitors (one visitor per  
10 hour). Further, the proposed schedule heavily advocates on Kim's behalf and signals once again  
11 that Kim has no intention of helping or cooperating to schedule or facilitate celebrations such as  
12 this proposed Mother's Day family celebration.

13 7. Kim also has a tendency at times to stay with June even if she is at a location  
14 other than her home spending time with her other family members. To avoid further acrimony,  
15 June's family simply need an order clarifying what Kim refuses to do, which is that she will not  
16 be present during the visit with June.

17 8. Additionally, the Court is well aware of Kim's actions over the past 18 months  
18 whereby she frequently "ghosts" family members who attempt to contact her to schedule a visit  
19 with their mother.

20 9. Further, the recent debacle over Easter weekend with Kim refusing to allow  
21 humane reasonable access to June highlights why this Court will have to order Kim very  
22 specifically to facilitate visitation, or the visitation simply will not happen.

23 10. As this Court is aware, Robyn and Donna became concerned that Kim without  
24 this Court's authorization had unilaterally packed up June's things and left the state. Robyn sent  
25 a gift to her mother and the delivery person reported no one responded to knocks at the door, no

lights were on, no vehicles in the driveway, and the property appeared abandoned.

11. In typical fashion, Kim went silent, ghosting everyone. Once again, the tired cycle commenced with Robyn being forced to have her counsel reach out to Kim's counsel to find out what was going on. Kim is not known for advance planning.

12. Counsel for Robyn sent this:

All, it appears all of June's things have been packed up and the Kraft house is empty. We suppose this from representations at the settlement conference and also because June's daughters sent her a gift and the delivery person notified them the house appears deserted and pictures seem to indicate – no welcome mat, etc. that the house is empty. Robyn has been in contact with Kim and directly with June about visiting for Easter. Now it appears Kim plans without notice to Robyn, Donna or Scott or any of the grandchildren on taking June to Arizona. This is interesting that she would do this without even a word to Robyn who she knows is desperate for time with her mother, and on the eve of possibly moving out of Nevada forever. Wouldn't this be an opportunity for Kim to show some humanity and that she can be a true professional by reaching out to Robyn? Even if Kim has had these uncommunicated plans for weeks or months, why wouldn't she give Robyn some advanced notice and facilitate a visit with June before leaving?

Moments ago, Kim finally sent another one of her terse and belated answers via text saying something to the effect "calm down, she's at Denny's in Las Vegas." If that's true, then please ask/direct/suggest/plead for Kim to reach out to Robyn (though this would be as usual extremely last minute) and see if she would like to visit with June before they leave?

13. At 3:55 p.m., Mr. Beckstrom responded this way:

John,

Your version of events is wrong. You have no client control and accept your client's statements as gospel.

June's things are packed. Which I stated in the Motion which has been e-served. June is not out of the state. She is in the state. Her furnishings are unfortunately packed. I told the judge this and everyone else the same during the conference.

As for Easter. We are talking about this on a Friday at almost 4PM. First you should confirm with your client the exchange that went on. I took the time to do so and Kimberly offered to drop June at Robyn's for the entire weekend. Prior to that, June stated she wanted to go see Teri in Arizona, which didn't work out.

1 June said she didn't want to go to Robyn's for brunch on Sunday. Kimberly went  
2 one step further and told June she should go and made the above offer to Robyn.  
That was after Robyn continued to threaten Kim about dragging her through  
Court until she couldn't breathe. Her typical tactic.

3 You are wearing blinders and I we don't need four lawyers to deal with this. If  
4 your client wanted to see June on Easter and thought she wouldn't get a response  
5 from Kimberly, a simple ask last week while everyone was in the same room  
6 would have resolved this with no problem. Your client is attempting to create a  
paper trail to support her own false narrative. Any competent attorney can see  
what is being done.

7 I hope your client accepts the offer to take June the entire weekend.

8 14. Many things in Mr. Beckstrom's response highlight the problems with this  
9 guardianship. First, we are always at Kim's mercy for her portrayal of what June wants. Kim's  
10 representations of June never wanting to see approximately 60% of her family, are squarely at  
11 odds with everyone else's perceptions of June's wishes, including Dr. Brown, the guardian ad  
12 litem, and upon information and belief, the Court. Though it seems like a mathematical  
13 improbability, according to Kim, June's tastes and preferences for whom she would like to visit  
14 and when always seem to correspond with who is in, and who is out, of favor with Kim. Despite  
15 Kim's Oath on file in this case, if you challenge or question Kim, you will not see June. It is  
16 that simple.

17 15. Second, Kim only offers visits when under pressure from this Court through her  
18 attorney, and even then, it is with zero planning and last minute. Counsel was grateful to learn  
19 from Mr. Beckstrom that one should confirm with one's client concerning the sequence of  
20 events. Presumably, Mr. Beckstrom believed that Kim had reached out in advance to advise her  
21 sisters of her plans to flee Nevada in violation of the law but had at least offered Robyn the  
22 chance to see her mother one last time. Unfortunately, neither of those things actually happened.  
23 Kim had not reached out to her sisters about any of this, and upon information and belief was in  
24 the process of leaving the state without telling anyone. She was stopped short because once  
25 again, Robyn started asking logical, reasonable, simple questions.

16. Annoyed and caught in the act of fleeing the state, Kim had actually only offered a visit with June (likely because Mr. Beckstrom had reached out to her to find out what was going on – at the prompting of Robyn and Donna and their attorney as has happened several times in this case) literally just *six minutes* before Mr. Beckstrom’s email. Here’s Kim’s text with the time stamp at 3:49 p.m.:

Today 3:49 PM

Robyn, I'm not going to fight over text about your demands. Mom originally said she wanted to see Teri for Easter. That isn't going forward, would you like to spend the weekend with mom? Through Easter ? I have a social event I was invited to Saturday in CA and was going to see if Donna wanted to spend some time with mom. However if you want I can drop her at your house ? I could pick her up Monday morning ?

17. Shocked and worried for their mother, but not surprised at Kim's typical reckless behavior, Petitioners struggled to respond to this last minute "offer" to have June at Robyn's home, with no notice. Petitioners wanted to see what "arrangements" Kim had made for June because: 1) Kim has very little money; 2) Kim and Mr. Beckstrom knew Petitioners had agreed to pay for June to stay at the Kraft house through April 10<sup>th</sup>; 3) June's things were all packed up; and 4) Kim had absolutely no authority to move June out of the state and had not notified anyone of the same.



1           18.     Further examples of Easter weekend communications from Robyn, all of which  
2 are logical, easily answered questions and concerns, but which were met with cynicism and a  
3 complete lack of any substantive response or information from either Kim or Mr. Beckstrom:

4                   At 4:20 p.m.:

5                           As always, Robyn is happy to visit with her mother but these  
6 “opportunities” condescendingly dolled out by Kim only come at the last  
7 minute and with pressure from you or the court.

8                   After receiving a dismissive non-response, again at 4:41:

9                           James, can you confirm that the guardian has a place for June to stay this  
10 weekend? If so, where is it? Robyn has asked Kim and she is refusing to  
11 answer. All she would say is that mom is at Denny’s. If June is in danger,  
12 Robyn will of course take her in, but Robyn needs to know right now.  
13 She is in the process of clearing a room and clearing her schedule. She  
14 has a lot going this weekend and would love a visit but would have  
15 preferred advanced communication.

16                           Please confirm in writing where June is staying and whether she has a  
17 bed, etc.

18                   With still no substantive response (keep in mind Kim had only an hour before  
19 popped the question to Robyn if she wanted to take June), counsel for Robyn  
20 stated:

21                           Based on past experience with Kim, my clients are both concerned that  
22 Kim actually has a place lined up for June. If there is an emergency,  
23 Robyn will of course take June in for the weekend. My clients are  
24 concerned that what is being proposed as a last minute visit opportunity  
25 is really a situation where Kim has moved all of June’s things out of state  
prematurely and perhaps June is not in the best or an appropriate setting.  
We ask for video proof of June’s lodgings for tonight and the foreseeable  
future until the court resolves the petition to relocate.

Two hours after Kim suddenly offered access to June, and with no response about  
exactly where they were, nor even a short video clip from Kim showing their  
mother safe in a hotel room, which she is 100% capable of providing from her  
cell phone, counsel for Robyn felt compelled to send this:

James, where are June’s belongings? Are they in trucks in Nevada? Have  
they been moved to California?

1 We are calling Metro for a well-check as Kim has refused to provide  
2 June's location and she has purportedly moved June to a hotel. Please  
provide the exact location (hotel and room number) and the date when  
they moved.

3 Robyn would like to visit Ms. Jones right now alone in her hotel room.

4 There has been no approval for a move at this point and the Friedman's  
5 agreed to pay her rent through 4/10.

6  
7 19. So, after Mr. Beckstrom stated in one response that he could get the location  
information, and after Kim offered last minute access to June in response to pressure, ultimately,  
8 Kim and June were never heard from again. No one knows where they stayed, where they went,  
9 where June's things were, or why Robyn, Perry and their son could not see June over Easter.

10  
11 20. All that is known is that Kim unlawfully removed June from her Kraft home  
without statutorily required court authorization or notice. Then while under pressure, Kim made  
12 a last-minute "offer" for June to visit Robyn before she fled the state. And when Robyn began  
13 to frantically cancel plans and clear space at her house, and began to ask questions, Kim ghosted  
14 everyone and disappeared.

15  
16 21. Kim was in Anaheim, California that weekend moving June's possessions into  
the Anaheim home – confirmed to Donna by longtime neighbors near June's Anaheim home  
17 who reported speaking with Kim's boyfriend that weekend. Accordingly, instead of Robyn and  
18 her family being able to celebrate Easter with June or see their mother and grandmother at all  
19 before she left the state, Petitioners learned that Kim had taken June out of the state. Petitioners  
20 seek to avoid a repeat of Kim's passive aggressive behavior displayed many times in this case  
21 and once again on Easter weekend by having this Court specifically authorize and order this  
22 Mother's Day celebration.

23  
24 22. The requested visit will require Petitioners and other family members to prepare  
and expend time and resources and incur significant costs. Petitioners and the rest of the family  
25 simply cannot be put in a position of taking time off from work and other activities, spending

1 money to travel, only to have Kim take their mother out of town unexpectedly or otherwise  
2 impede and preclude the needed interaction from occurring.

3 23. Nor can Petitioners and the rest of the family be asked to expend large amounts  
4 of money and time on negotiations through lawyers to coerce Kim to do something so routine as  
5 to allow family members a visit with their mother or grandmother without Kim leering over  
6 them.

7 24. Accordingly, the only way for Petitioners and June's other family members to  
8 ensure that the visit occurs is for the Court to order the same.

9  
10 ***Kim has No Right in this Guardianship to Refuse or Preclude the  
May 8, 2021, Requested Visit***

11 25. The importance of a protected person's right to communication, visitation, and  
12 interaction with the people she loves is so important Nevada law devotes an entire section of the  
13 guardianship chapter to this topic.

14 26. NRS 159.332 provides:

15 **Guardian prohibited from restricting communication, visitation**  
16 **or interaction between protected person and relative or person**  
17 **of natural affection; exceptions.**

18 1. A guardian shall not restrict the right of a protected person  
19 to communicate, visit or interact with a relative or person of natural  
affection, including, without limitation, by telephone, mail or  
electronic communication, unless:

20 (a) The protected person expresses to the guardian and at least  
21 one other independent witness who is not affiliated with or related  
22 to the guardian or the protected person that the protected person does  
not wish to communicate, visit or interact with the relative or person  
of natural affection;

23 (b) There is currently an investigation of the relative or person  
24 of natural affection by law enforcement or a court proceeding  
25 concerning the alleged abuse of the protected person and the  
guardian determines that it is in the best interests of the protected  
person to restrict the communication, visitation or interaction

1 between the protected person and the relative or person of natural  
2 affection because of such an investigation or court proceeding;

3 (c) The restriction on the communication, visitation or  
4 interaction with the relative or person of natural affection is  
5 authorized by a court order;

6 (d) Subject to the provisions of subsection 2, the guardian  
7 determines that the protected person is being physically,  
8 emotionally or mentally harmed by the relative or person of natural  
9 affection; or

10 (e) Subject to the provisions of subsection 3, a determination is  
11 made that, as a result of the findings in a plan for the care or  
12 treatment of the protected person, visitation, communication or  
13 interaction between the protected person and the relative or person  
14 of natural affection is detrimental to the health and well-being of the  
15 protected person.

16 2. Except as otherwise provided in this subsection, if a  
17 guardian restricts communication, visitation or interaction between  
18 a protected person and a relative or person of natural affection  
19 pursuant to paragraph (d) of subsection 1, the guardian shall file a  
20 petition pursuant to NRS 159.333 not later than 10 days after  
21 restricting such communication, visitation or interaction. A guardian  
22 is not required to file such a petition if the relative or person of  
23 natural affection is the subject of an investigation or court  
24 proceeding pursuant to paragraph (b) of subsection 1 or a pending  
25 petition filed pursuant to NRS 159.333.

3. A guardian may consent to restricting the communication,  
visitation or interaction between a protected person and a relative or  
person of natural affection pursuant to paragraph (e) of subsection 1  
if the guardian determines that such a restriction is in the best  
interests of the protected person. If a guardian makes such a  
determination, the guardian shall file a notice with the court that  
specifies the restriction on communication, visitation or interaction  
not later than 10 days after the guardian is informed of the findings  
in the plan for the care or treatment of the protected person. The  
guardian shall serve the notice on the protected person, the attorney  
of the protected person and any person who is the subject of the  
restriction on communication, visitation or interaction.

(Emphasis added).

27. Under these and other statutes, guardians in Nevada are “prohibited from

1 restricting communication, visitation or interaction between protected person[s] and relative[s]  
2 or person[s] of natural affection” except under very controlled circumstances.

3 28. Pursuant to the statute, to restrict access to June, Kim needs to do one or more of  
4 the following:

- 5 a. Show that June expressed to Kim and to another independent witness that June  
6 no longer wishes to see her family. Kim has not done this.
- 7 b. Show that June’s family are under investigation for abuse of June and that it is in  
8 June’s best interest to not see her family. Kim has not done this.
- 9 c. Show that allowing visitation with June’s family would violate a court order.  
10 Kim has not done this.
- 11 d. Determine that June is being abused by her family, and within 10 days bring a  
12 petition outlining such abuse and requesting an order to limit communication,  
13 visitation or interaction. Kim has not done this.
- 14 e. Determine that findings in a plan of care show that June’s access to her family  
15 would be detrimental to June and provide notice to all parties and the court within  
16 10 days. Kim has not done this.

17 29. Kim has not even attempted to do any of these things, yet by various passive  
18 aggressive means, she isolates June. At a minimum, this is an abuse of discretion by a guardian.

19 30. Here, the Court should grant this Petition because there is no statutorily required  
20 reason for the visit to not occur. Kim will not be able to articulate any basis under this or any  
21 other statute for refusing to schedule and coordinate the May 8, 2021, requested visit.

22 31. Kim’s only argument will be that her mom has expressed that she dislikes  
23 “schedules”. This led to the now famous “just call June” doctrine taught to us by Kim, her  
24 attorney James Beckstrom and Maria Para-Sandoval, June’s legal aid attorney.

25 32. Sadly, this doctrine has proven catastrophically bad for June, the matriarch of her



1 family. Kim and her team know that June is not capable of following through on her own in a  
2 way that would bring any visitation, communication, and interaction with her family without  
3 help from her guardian.

4 33. June has been repeatedly found to lack capacity to even remember her posterity,  
5 let alone to engage in medication, financial or calendar management on her own. Dr. Gregory  
6 Brown stated that June has profound memory loss even to the extent of not knowing the number  
7 of her children and grandchildren, her life-long profession and job, and the number of husbands  
8 she had over the course of her life. *See* Dr. Brown's report attached to the September 19, 2019,  
9 Confidential Physician's Certificate of Incapacity and Medical Records filed herein.

10 34. Even Ms. Parra-Sandoval, in bygone hearings, repeatedly stated that she had to  
11 remind June each time they spoke that her home had been taken from her. Further, Ms. Parra-  
12 Sandoval admitted to this Court during the September 17, 2020, hearing that Kim "puts things  
13 on [June's] calendar." Upon information and belief, Ms. Parra-Sandoval coordinates with Kim  
14 to schedule appointments with June. That may even be why Ms. Parra-Sandoval's proposed  
15 schedule strongly advocates on behalf of Kim – because Kim was present for that conversation  
16 and her undue influence shaped what is presented as "June's wishes" even though these points  
17 strongly contradict the Report from the Guardian ad Litem.

18 35. The report filed by Elizabeth Brickfield, Esq., a well-known, respected, and  
19 experienced estate planning and guardianship attorney, recently appointed by this Court as  
20 guardian ad litem in this matter to provide more independent insight for the Court states:

- 21 a. Ms. Jones was very clear to Ms. Brickfield that she wants to see all of her children  
22 and grandchildren, that she wants to see them in her home, in their homes, on  
23 overnights and vacations.
- 24 b. Given Ms. Jones' expressed desire to see and communicate with her children and  
25 grandchildren, their desire to see and communicate with their parent/grandparent,

1 Ms. Jones' guardian should make this family interaction a top priority for the  
2 quality of Ms. Jones' life.

3 c. Ms. Jones wants visits and communications with her children and grandchildren  
4 and these visits and communications are in her best interest.

5 d. Ms. Jones lacks the ability to manage, initiate, or plan these communications and  
6 visits.

7 e. Kimberly Jones has not encouraged or facilitated these visits and  
8 communications.

9 f. Kimberly Jones is unlikely to encourage and facilitate visits without supervision  
10 by the Court and even then, the Court will be required to expend significant  
11 efforts to make sure the visitation occurs.

12 *See* the Guardian ad Litem's Report to the Court filed on March 29, 2021.

13 36. Based on the conflicting reports to the Court from Ms. Parra-Sandoval and Ms.  
14 Brickfield, it is now before the Court to determine if June is being placed in circumstances where  
15 she is being unduly influenced to say certain things.

16 37. Instead of freeing June, Kim's, Mr. Beckstrom's and Ms. Parra-Sandoval's  
17 backward insistence on not cooperating in facilitating visitation, communication, and interaction  
18 has drained the life blood out of June's relationship with several of her children and  
19 grandchildren, to the point where these relationships and interactions really only exist on paper,  
20 not in reality. There is no natural free flow of communication or interaction between June and  
21 Robyn, Donna or Scott or any of their family since Kim took over. Kim has used extreme passive  
22 aggression to see to that.

23 38. Kim's passive aggression, as has been amply demonstrated by all the pleadings  
24 in this matter, includes i) not answering text or email questions for days, or in some cases never  
25 answering; ii) taking June abruptly elsewhere when others had an expectation of visiting June at

1 her home; iii) not adequately ensuring June can answer her phone; iv) not assisting June with  
2 any regularity in making calls to her family in ways that would actually accomplish  
3 communication since times are completely unknown and random; v) suddenly offering access  
4 to June with virtually no notice; vi) unilaterally packing up all of June's things and moving June  
5 out of state abruptly without Court approval and with no notice to any of the family; vii)  
6 continuously referring family members to "just call June" despite knowing that June is not  
7 capable of rationally arranging and facilitating visitation, interaction and communication without  
8 assistance; viii) not disclosing to family Kim's intentions concerning where she and June will  
9 live until after severe amounts of efforts and meet and confer and Court intervention; ix)  
10 continuously refusing to allow visitation with June without Kim's presence, while knowing there  
11 is a great deal of acrimony and hostility between Kim and most of her family; x) refusing to  
12 disclose until very recently whether her boyfriend who has had nearly violent confrontations  
13 with family members will be living with June so family can anticipate that and make  
14 arrangements; xii) refusing for months and months to provide a detailed, written plan of care, in  
15 one document, not spread across many pleadings in the form of oblique and general references  
16 to "same as before" care, which were only recently filed in hopes of leaving the jurisdiction of  
17 this Court; and xiii) generally passively aggressively refusing in good faith to answer basic  
18 questions to avoid costly litigation to get even the most basic answers out of Kim (such as "are  
19 you even in Nevada?").

20 39. All of these – especially taken together – "restrict the right of a protected person  
21 to communicate, visit or interact with a relative or person of natural affection".

22 40. On the rare occasions when they have seen her in person or spoken on the phone  
23 in the past 18 months, Petitioners both certified that June has told them and others continuously  
24 that she would like to continue to see them and their families. Petitioners have even told June  
25 they can back off from trying to see her if she prefers. However, June has been consistent in

expressing to Petitioners her desire to visit, communicate and interact with all of her posterity, not just Kim and Teri. The guardianship Bill of Rights guarantees that June has the right to a guardian who will enable her to visit with all of her family. Kim can hate whomever she wants, but when she takes an oath as guardian, she has no right to weaponize that court-appointed position and power to punish others by isolating them from June.

41. This Petition seeks only to ensure Petitioners and other family members have access to June and can have a meaningful Mother's Day celebration with her without the fear that Kim's conduct or presence will rain on the celebration.

#### **PRAYER FOR RELIEF**

WHEREFORE, based upon the foregoing, Petitioners request that the Court GRANT Petitioners Robyn and Donna's Petition in its entirety and ORDER:

1. Kim to facilitate and coordinate a visit for June to spend time with Petitioners and other family members on May 8, 2021 by dropping off June at 10:00 a.m. at the registration desk of the Holiday Inn Express & Suites located at 31573 Canyon Estates Dr., Lake Elsinore, California, then leaving the area and not being anywhere near the proximity of the family to allow the family to freely interact with their mother and grandmother and then picking up June again at 7:00 p.m. that evening from the same location;

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1           2. If Kim fails to obey this Court's order for the May 8, 2021 visit, then this Court should  
2           consider removing or suspending Kim as June's guardian at the scheduled May 13,  
3           2021 hearing.

4           DATED: April 23, 2021.

MICHAELSON & ASSOCIATES, LTD.

/s/ John P. Michaelson

John Michaelson, Esq.

Nevada Bar No. 7822

Ammon E. Francom, Esq.

Nevada Bar No. 14196

2200 Paseo Verde Parkway, Ste. 160

Henderson, Nevada 89052

*Counsel for Petitioners*



**CERTIFICATE OF SERVICE**

Pursuant to NEFCR 9, that on April 23, 2021, the undersigned hereby certifies a copy of the foregoing Petition was electronically served on the following individuals and/or entities at the following addresses. In addition, pursuant to Nevada Rule of Civil Procedure 5(b), the undersigned hereby certifies that on April 26, 2021, a copy of the Petition was mailed by regular US first class mail, postage prepaid, in a sealed envelope in Henderson, Nevada, to the following individuals and/or entities at the following addresses:

Jeffrey R. Sylvester, Esq. <a href="mailto:jeff@sylvesterpolednak.com">jeff@sylvesterpolednak.com</a>  Kelly L. Easton <a href="mailto:kellye@sylvesterpolednak.com">kellye@sylvesterpolednak.com</a>  Co-Counsel for Petitioners, Robyn Friedman and Donna Simmons	Maria L. Parra-Sandoval, Esq. Legal Aid Center of Southern Nevada <a href="mailto:mparra@lacs.org">mparra@lacs.org</a> <i>Attorney for Kathleen June Jones</i>  Penny Walker <a href="mailto:walker@lacs.org">walker@lacs.org</a>  <i>Counsel for June Jones</i>
Geraldine Tomich, Esq. <a href="mailto:gtomich@maclaw.com">gtomich@maclaw.com</a>  James Beckstrom, Esq. <a href="mailto:jbeckstrom@maclaw.com">jbeckstrom@maclaw.com</a>  Cheryl Becnel <a href="mailto:cbecnel@maclaw.com">cbecnel@maclaw.com</a>  <i>Attorneys for Kimberly Jones</i>	Kate McCloskey <a href="mailto:NVGCO@nvcourts.nv.gov">NVGCO@nvcourts.nv.gov</a>  LaChasity Carroll <a href="mailto:lcarrol@nvcourts.nv.gov">lcarrol@nvcourts.nv.gov</a>  Sonja Jones <a href="mailto:sjones@nvcourts.nv.gov">sjones@nvcourts.nv.gov</a>
Elizabeth Brickfield DAWSON & LORDAHL PLLC <a href="mailto:ebrickfield@dlnevadalaw.com">ebrickfield@dlnevadalaw.com</a>  Melissa R. Douglas <a href="mailto:mdouglas@dlnevadalaw.com">mdouglas@dlnevadalaw.com</a>  Karen Friedrich <a href="mailto:kfriedrich@dlnevadalaw.com">kfriedrich@dlnevadalaw.com</a>  <i>Guardian Ad Litem for Kathleen June Jones</i>	

Teri Butler 586 N. Magdalena Street Dewey, AZ 86327	Scott Simmons 1054 S. Verde Street Anaheim, CA 92805
Jen Adamo 14 Edgewater Drive Magnolia, DE 19962	Jon Criss 804 Harkness Lane, Unit 3 Redondo Beach, CA 90278
Ryan O'Neal 112 Malvern Avenue, Apt. E Fullerton, CA 92832	Tiffany O'Neal 177 N. Singing Wood Street, Unit 13 Orange, CA 92869
Courtney Simmons 765 Kimbark Avenue San Bernardino, CA 92407	

MICHAELSON & ASSOCIATES, LTD.

/s/ Amber Pinnecker  
Employee of Michaelson & Associates

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**VERIFICATION**

Robyn Friedman, being first duly sworn, under penalty of perjury, hereby deposes and says: that she is a Petitioner in the Petition above; that she has read the foregoing Petition and knows the contents thereof; that the same are true of her own knowledge except as to those matters therein stated upon information and belief and as to those matters, she believes them to be true; that she possesses text messages, telephone records, and videos as stated throughout this Petition that support, memorialize, and prove the facts as presented in this Petition.

\_\_\_\_\_  
ROBYN FRIEDMAN

**VERIFICATION**

Donna Simmons, being first duly, sworn under penalty of perjury, hereby deposes and says:  
that she is a Petitioner in the above-referenced Petition; that she has read the foregoing Petition  
and knows the contents thereof; that the same are true of her own knowledge except as to those  
matters therein stated upon information and belief and as to those matters, she believes them to be  
true.

---

DONNA SIMMONS





**EXPP**

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Fax: (702) 731-2337  
Counsel for Robyn Friedman and Donna Simmons

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

IN THE MATTER OF THE GUARDIANSHIP )  
OF THE PERSON AND ESTATE OF: )  
Kathleen June Jones, )  
An Adult Protected Person. )

Case Number: G-19-052263-A  
Department: B

**EX PARTE PETITION FOR ORDER SHORTENING TIME TO HEAR PETITION  
FOR VISITATION WITH THE PROTECTED PERSON**

☐ TEMPORARY GUARDIANSHIP  
☐ Person  
☐ Estate ☐ Summary Admin.  
☐ Person and Estate

☒ GENERAL GUARDIANSHIP  
☐ Person  
☐ Estate ☐ Summary Admin.  
☒ Person and Estate

☐ SPECIAL GUARDIANSHIP  
☐ Person  
☐ Estate ☐ Summary Admin.  
☐ Person and Estate

☐ NOTICES / SAFEGUARDS  
☐ Blocked Account  
☐ Bond Posted  
☐ Public Guardian Bond

COMES NOW, Robyn Friedman and Donna Simmons ("Petitioners" or "Robyn" and  
"Donna"), as family members and interested parties in this matter, by and through their counsel,

1 the law firm of Michaelson & Associates, Ltd., and hereby submits this Ex Parte Petition To  
2 Shorten Time and requests this Court set the hearing on Petitioners' Petition for Visitation with  
3 the Protected Person on shortened time, and in support thereof, Petitioners allege as follows:

4 1. Mother's Day is on May 9, 2021. Petitioners and their families along with Scott Simmons  
5 and some of Ms. Jones' grandchildren wish to visit with their mother/grandmother outside the  
6 presence of Kim to celebrate the holiday. *See* Declaration of John Michaelson, Esq. at ¶ 3.

7 2. On April 23, 2021, Petitioners filed a Petition for Visitation with Protected Person. In that  
8 Petition, Petitioners request an order from this Court directing their sister Kimberly Jones ("Kim"  
9 or "Kimberly") to facilitate a visit to allow Petitioners and a number of other family members to  
10 see their mother/grandmother Kathleen June Jones ("mother", "grandmother", "June", "Ms.  
11 Jones" or "the protected person") on Saturday, May 8, 2021, from 10:00 a.m. to 7:00 p.m., without  
12 Kim being present. Petitioners request that Kim drop June off at 10:00 a.m. in the morning at the  
13 reception desk of the Holiday Inn Express & Suites located at 31573 Canyon Estates Dr, Lake  
14 Elsinore, California, and that Kim pick June up at 7:00 p.m. in the evening from the same location.

15 3. The intention for the day is to have lunch, get nails done, and BBQ with the bulk of the  
16 extended family in California including children, grandchildren, and great grandchildren. The  
17 day's activities will take place in and around Donna's home located within four miles of the hotel  
18 where other family members are staying and where June would be dropped off and picked up.  
19 Petitioners will ensure ample opportunity for June to relax, nap if she chooses, or just sit and let  
20 family gather around if that is what she chooses. Of course, June's wishes to stay or leave will be  
21 respected at all times.  
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1 4. Additionally, the Court is well aware of Kim's actions over the past 18 months whereby  
2 she frequently "ghosts" family members who attempt to contact her to schedule a visit with their  
3 mother.

4 5. Further, the recent debacle over Easter weekend with Kim refusing to allow humane  
5 reasonable access to June highlights why this Court will have to order Kim very specifically to  
6 facilitate visitation, or the visitation simply will not happen. Accordingly, Petitioners believe a  
7 Court ordered visit is the only way to ensure the Easter debacle does not recur. *Id.* at ¶ 6.

8 6. Accordingly, based upon the fact that Mother's Day is less than 15 days away, Petitioners  
9 request that this Court hear their Petition on Order Shortening Time. *Id.* at ¶ 7.

10 DATED: this 23<sup>rd</sup> day of April, 2021.

11 MICHAELSON & ASSOCIATES, LTD.

12 By: /s/ John P. Michaelson

13 John P. Michaelson, Esq.  
14 Nevada Bar No. 7822  
15 Ammon E. Francom, Esq.  
16 Nevada Bar No. 14196  
17 2200 Paseo Verde Parkway, Ste. 160  
18 Henderson, Nevada 89052  
19 Counsel for Petitioners  
20  
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**DECLARATION IN SUPPORT OF**  
**EX PARTE PETITION FOR ORDER SHORTENING TIME ON**  
**PETITION FOR VISITATION WITH THE PROTECTED PERSON**

I, John P. Michaelson, Esq. declare as follows:

1. I am an attorney and principal with the law firm of Michaelson & Associates, Ltd. I am over 18 years of age; I am competent to testify to the facts stated herein and could provide such testimony if called upon to do so, and I have personal knowledge of the facts stated within this affidavit, except those facts which are stated upon information and belief.

2. I represent Robyn Friedman and Donna Simmons in this matter.

3. Petitioners and their families along with Ms. Jones' son, Scott Simmons and some of Ms. Jones' grandchildren wish to visit with their mother/grandmother outside the presence of Kim to celebrate Mother's Day on May 9, 2021.

4. Petitioner's and their families do not want to celebrate Mother's Day at the Anaheim Home in the presence of Kimberly and her boyfriend Dean Loggans as they do not feel safe around Kim and Mr. Loggans.

5. Petitioners believe a court ordered visit for Mother's Day is the only way to avoid a recurrence of the recent Easter weekend debacle.

6. Because Mother's Day is less than 15 days away, Petitioners request that their Petition for Visitation with Protected Person filed on April 23, 2021, be heard by this Court on an order shortening time.

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7. Based upon the foregoing, Petitioners request that the Petition be heard on shortened time and the hearing be scheduled on April 29, 2021, if possible, but no later than May 4, 2021.

/s/ John P. Michelson  
JOHN P. MICHAELSON





**SUPP**

MICHAELSON & ASSOCIATES, LTD.  
John P. Michaelson, Esq.  
Nevada Bar No. 7822  
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Matthew D. Whittaker, Esq.  
Nevada Bar No. 13281  
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Henderson, Nevada 89052  
Ph: (702) 731-2333  
Fax: (702) 731-2337  
*Attorneys for Robyn Friedman  
and Donna Simmons*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

IN THE MATTER OF THE GUARDIANSHIP ) Case Number: G-19-052263-A  
OF THE PERSON AND ESTATE OF: ) Department: B  
)  
Kathleen June Jones, )  
)  
An Adult Protected Person. )

**SUPPLEMENT TO PETITION FOR VISITATION WITH THE PROTECTED PERSON**

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|---|---|
| <input type="checkbox"/> TEMPORARY GUARDIANSHIP                         | <input checked="" type="checkbox"/> GENERAL GUARDIANSHIP                |
| <input type="checkbox"/> Person   | <input type="checkbox"/> Person   |
| <input type="checkbox"/> Estate <input type="checkbox"/> Summary Admin. | <input type="checkbox"/> Estate <input type="checkbox"/> Summary Admin. |
| <input type="checkbox"/> Person and Estate                              | <input checked="" type="checkbox"/> Person and Estate                   |
| <input type="checkbox"/> SPECIAL GUARDIANSHIP                           | <input type="checkbox"/> NOTICES / SAFEGUARDS                           |
| <input type="checkbox"/> Person   | <input type="checkbox"/> Blocked Account                                |
| <input type="checkbox"/> Estate <input type="checkbox"/> Summary Admin. | <input type="checkbox"/> Bond Posted                                    |
| <input type="checkbox"/> Person and Estate                              | <input type="checkbox"/> Public Guardian Bond                           |

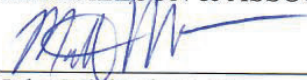
COMES NOW, Robyn Friedman and Donna Simmons ("Petitioners" or "Robyn and Donna"), as family members and interested parties in this matter, by and through their attorneys at Michaelson & Associates, Ltd., and hereby files its Supplement to Petition for Visitation with

///

1 the Protected Person by attaching the signed verification pages of the Petitioners.

2 DATED: April 26, 2021.

3 MICHAELSON & ASSOCIATES, LTD.

4 

5 John Michaelson, Esq.

6 Nevada Bar No. 7822

7 Matthew D. Whittaker, Esq.

8 Nevada Bar No. 13281

9 2200 Paseo Verde Parkway, Ste. 160

10 Henderson, Nevada 89052

11 *Counsel for Petitioners*

**CERTIFICATE OF SERVICE**

Pursuant to Nevada Rule of Civil Procedure 5(b) and NEFCR 9, that on April 26, 2021, the undersigned hereby certifies a copy of the foregoing Supplement to Petition for Visitation with the Protected Person was electronically served and/or mailed by regular US first class mail, postage prepaid, in a sealed envelope in Henderson, Nevada, to the following individuals and/or entities at the following addresses:

Jeffrey R. Sylvester, Esq. <a href="mailto:jeff@sylvesterpolednak.com">jeff@sylvesterpolednak.com</a>  Kelly L. Easton <a href="mailto:kellye@sylvesterpolednak.com">kellye@sylvesterpolednak.com</a>  Co-Counsel for Petitioners, Robyn Friedman and Donna Simmons	Maria L. Parra-Sandoval, Esq. Legal Aid Center of Southern Nevada <a href="mailto:mparra@lacs.org">mparra@lacs.org</a> <i>Attorney for Kathleen June Jones</i>  Penny Walker <a href="mailto:pwalker@lacs.org">pwalker@lacs.org</a>  <i>Counsel for June Jones</i>
Geraldine Tomich, Esq. <a href="mailto:gtomich@maclaw.com">gtomich@maclaw.com</a>  James Beckstrom, Esq. <a href="mailto:jbeckstrom@maclaw.com">jbeckstrom@maclaw.com</a>  Cheryl Becnel <a href="mailto:cbecnel@maclaw.com">cbecnel@maclaw.com</a>  <i>Attorneys for Kimberly Jones</i>	Kate McCloskey <a href="mailto:NVGCO@nvcourts.nv.gov">NVGCO@nvcourts.nv.gov</a>  LaChasity Carroll <a href="mailto:lcarr@nvcourts.nv.gov">lcarr@nvcourts.nv.gov</a>  Sonja Jones <a href="mailto:sjones@nvcourts.nv.gov">sjones@nvcourts.nv.gov</a>

1 2 3 4 5 6	Elizabeth Brickfield DAWSON & LORDAHL PLLC <a href="mailto:ebrickfield@dlnevadalaw.com">ebrickfield@dlnevadalaw.com</a>  Melissa R. Douglas <a href="mailto:mdouglas@dlnevadalaw.com">mdouglas@dlnevadalaw.com</a>  Karen Friedrich <a href="mailto:kfriedrich@dlnevadalaw.com">kfriedrich@dlnevadalaw.com</a>  <i>Guardian Ad Litem for Kathleen June Jones</i>	
7 8	Teri Butler 586 N. Magdalena Street Dewey, AZ 86327	Scott Simmons 1054 S. Verde Street Anaheim, CA 92805
9 10	Jen Adamo 14 Edgewater Drive Magnolia, DE 19962	Jon Criss 804 Harkness Lane, Unit 3 Redondo Beach, CA 90278
11 12	Ryan O'Neal 112 Malvern Avenue, Apt. E Fullerton, CA 92832	Tiffany O'Neal 177 N. Singing Wood Street, Unit 13 Orange, CA 92869
13 14 15	Courtney Simmons 765 Kimbark Avenue San Bernardino, CA 92407	

MICHAELSON & ASSOCIATES, LTD.

/s/ April Rivera  
Employee of Michaelson & Associates

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**VERIFICATION**

Robyn Friedman, being first duly sworn, under penalty of perjury, hereby deposes and says: that she is a Petitioner in the Petition above; that she has read the foregoing Petition and knows the contents thereof; that the same are true of her own knowledge except as to those matters therein stated upon information and belief and as to those matters, she believes them to be true; that she possesses text messages, telephone records, and videos as stated throughout this Petition that support, memorialize, and prove the facts as presented in this Petition.



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ROBYN FRIEDMAN



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VERIFICATION

Donna Simmons, being first duly, sworn under penalty of perjury, hereby deposes and says:  
that she is a Petitioner in the above-referenced Petition; that she has read the foregoing Petition  
and knows the contents thereof; that the same are true of her own knowledge except as to those  
matters therein stated upon information and belief and as to those matters, she believes them to be  
true.

  
DONNA SIMMONS



**CSERV**

MICHAELSON & ASSOCIATES, LTD.  
John P. Michaelson, Esq.  
Nevada Bar No. 7822  
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Matthew D. Whittaker, Esq.  
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*Attorneys for Robyn Friedman  
and Donna Simmons*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

IN THE MATTER OF THE GUARDIANSHIP ) Case Number: G-19-052263-A  
OF THE PERSON AND ESTATE OF: ) Department: B  
)  
Kathleen June Jones, )  
)  
An Adult Protected Person. )

**CERTIFICATE OF SERVICE**

Pursuant to Nevada Rule of Civil Procedure 5(b) and NEFCR 9, that on April 26, 2021,  
the undersigned hereby certifies a copy of the (1) Clerk's Notice of Hearing on the Petition for  
Visitation with the Protected Person; (2) Petition for Visitation with the Protected Person; and  
(3) Supplement to Petition for Visitation with the Protected Person was mailed by regular US  
first class mail, postage prepaid, in a sealed envelope in Henderson, Nevada, to the following  
individuals and/or entities at the following addresses:

Teri Butler 586 N. Magdalena Street Dewey, AZ 86327	Scott Simmons 1054 S. Verde Street Anaheim, CA 92805
Jen Adamo 14 Edgewater Drive Magnolia, DE 19962	Jon Criss 804 Harkness Lane, Unit 3 Redondo Beach, CA 90278

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	Ryan O'Neal 112 Malvern Avenue, Apt. E Fullerton, CA 92832	Tiffany O'Neal 177 N. Singing Wood Street, Unit 13 Orange, CA 92869
	Courtney Simmons 765 Kimbark Avenue San Bernardino, CA 92407	

MICHAELSON & ASSOCIATES, LTD.

/s/ April Rivera

Employee of Michaelson & Associates



1 **Marquis Aurbach Coffing**  
2 Geraldine Tomich, Esq.  
3 Nevada Bar No. 8369  
4 James A. Beckstrom, Esq.  
5 Nevada Bar No. 14032  
6 10001 Park Run Drive  
7 Las Vegas, Nevada 89145  
8 Telephone: (702) 382-0711  
9 Facsimile: (702) 382-5816  
10 gtomich@maclaw.com  
11 jbeckstrom@maclaw.com  
12 *Attorneys for Kimberly Jones,*  
13 *Guardian of Kathleen June Jones*

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**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

IN THE MATTER OF THE GUARDIANSHIP  
OF THE PERSON AND ESTATE OF:

KATHLEEN JUNE JONES

An Adult Protected Person.

Case No.: G-19-052263-A  
Dept. No.: B

Hearing Date: June 3, 2021  
Hearing Time: 1:30 P.M.

**LIMITED RESPONSE TO PETITION FOR VISITATION WITH THE PROTECTED  
PERSON**

Plaintiff, Kimberly Jones, as Guardian of the Person and Estate of Kathleen June Jones, through the law firm of Marquis Aurbach Coffing, hereby submits this Limited Response to Petition for Visitation with the Protected Person ("Response"). This Response is based upon papers and pleadings on file herein, the attached Memorandum of Points and Authorities, and any oral argument permitted at the time of the hearing on this matter.

**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. INTRODUCTION AND LEGAL ARGUMENT.**

The most recent Petition is absurd. There was never a request for a visit or coordinated trip with June for Mother's Day prior to Petitioners running to the Court. Petitioners, nor any other family member, made any attempt to communicate with the Guardian, the Guardian's attorney, June, or June's attorney regarding this visit. The Petition is a waste of judicial resources and a waste of attorney fees. June's attorney had already been in the process of trying

1 to work out an agreeable visitation schedule between the family prior to this request, but  
2 Petitioners continue to want to make the process as difficult as possible. This Petition could have  
3 been completely eliminated if Mr. Michelson asked June's attorney about a Mother's Day visit  
4 *back on April 14, 2021.*<sup>1</sup>

5 There is absolutely no objection by the Guardian regarding June going to see her other  
6 family members for Mother's Day. The Petition seeks a visit on the date of May 8, 2021 at  
7 10:00 a.m. and makes a demand that Kimberly drive June an hour to and from Lake Elsinore.  
8 The demand goes further, asking the Guardian to leave June "at the registration desk." Kimberly  
9 is not agreeable to dropping off and picking up June. Kimberly has no problem getting June  
10 ready in the morning for a day with her family, discussing, or coordinating the family visit. The  
11 family members can transport June for their day of activities. It would provide Petitioners more  
12 time with June, reduce June's expenses, and provide the claimed respite relief Petitioners state  
13 they so badly want to provide the Guardian.

14 The remainder of arguments by counsel within the Petition are unsubstantiated,  
15 inadmissible, unprofessional, and improper. Notably absent is a single communication aimed at  
16 this requested visit, or a single request for a visit with June. Concurrently with the drafting of this  
17 Response, Kimberly once again, will go above and beyond what she is required to do as  
18 Guardian and will make the same offer stated in this Response. The offer will be an unequivocal  
19 invitation for Petitioners to have June for Mother's Day (or any other day they desire).

## 20 **II. CONCLUSION.**

21 Based on the foregoing, the Petition should be denied without oral argument. There is no  
22 need for court intervention for a Mother's Day trip—especially one that was never informally  
23 sought and has no objection. Allowing counsel for Petitioners to once again stand on a soap box  
24 and regurgitate his client's opinions is not an efficient use of judicial resources or June's limited  
25 resources. The Guardian is happy to coordinate visits, including visits to June's house. The  
26 Guardian is not required to read minds, contact each of June's children to coordinate every

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27 <sup>1</sup> The date of the e-mail where Mr. Michelson states he was discussing visitation with Mrs. Parra  
28 Sandoval.



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formal and informal holiday, or shuttle June to each family member for visitation at their beck and call.

Dated this 3rd day of May, 2021.

MARQUIS AURBACH COFFING

By /s/ James A. Beckstrom  
James A. Beckstrom, Esq.  
Nevada Bar No. 14032  
10001 Park Run Drive  
Las Vegas, Nevada 89145  
*Attorney for Jones, as Guardian of the  
Person and Estate of Kathleen June  
Jones*

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **RESPONSE TO PETITION FOR VISITATION**  
**WITH THE PROTECTED PERSON** was submitted electronically for filing and/or service  
 with the Eighth Judicial District Court on the 3rd day of May, 2021. Electronic service of the  
 foregoing document shall be made in accordance with the E-Service List as follows:<sup>2</sup>

Ty E. Kehoe, Esq. KEHOE & ASSOCIATES 871 Coronado Center Drive, Ste. 200 Henderson, NV 89052 <i>Attorneys for Richard Powell, Kandi Powell          and Rodney Gerald Yeoman</i>	Matthew C. Piccolo, Esq. PICCOLO LAW OFFICES 2450 St. Rose Pkwy., Ste. 210 Henderson, NV 89074 <i>Attorneys for Richard Powell, Kandi Powell          and Rodney Gerald Yeoman</i>
--	--

Laura A. Deeter, Esq. GHANDI DEETER BLACKHAM 725 S. 8th Street, Ste. 100 Las Vegas, NV 89101 <i>Attorneys for Estate of Rodney Gerald Yeoman</i>	Maria L. Parra-Sandoval, Esq. LEGAL AID OF SOUTHERN NEVADA 725 E. Charleston Blvd. Las Vegas, NV 89104 <i>Attorney for Kathleen June Jones Protected          Person</i>
--	--

Jeffrey R. Sylvester, Esq. SYLVESTER & POLEDNAK 1731 Village Center Circle Las Vegas, NV 89134 <i>Co-Counsel for Petitioners, Robyn Friedman          and Donna Simmons</i>	Kate McCloskey NVGCO@nvcourts.nv.gov LaChasity Carroll lcarrol@nvcourts.nv.gov Sonja Jones sjones@nvcourts.nv.gov
---	--

John P. Michaelson, Esq. Ammon E. Francom, Esq. MICHAELSON & ASSOCIATES, LTD. 2200 Paseo Verde Parkway, Ste. 160 Henderson, Nevada 89052 <i>Attorneys for Robyn Friedman          and Donna Simmons</i>	Elizabeth Brickfield DAWSON & LORDAHL PLLC 8925 West Post Road, Suite 210 Las Vegas, Nevada 89148 <i>Guardian Ad Litem for Kathleen June Jones</i>
--	--

I further certify that I served a copy of this document by emailing and mailing a true and  
 correct copy thereof, postage prepaid, addressed to:

///

<sup>2</sup> Pursuant to EDCR 8.05(a), each party who submits an E-Filed document through the E-Filing System  
 consents to electronic service in accordance with NRCF 5(b)(2)(D).

**MARQUIS AURBACH COFFING**

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Jen Adamo  
14 Edgewater Drive  
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765 Kimbark Avenue  
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Ampersand Man  
2824 High Sail Court  
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Ryan O'Neal  
112 Malvern Avenuem Apt. E  
Fullerton, CA 92832

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Dewey, AZ 86327

Scott Simmons  
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Anaheim, CA 92805

Tiffany O'Neal  
177 N. Singingwood Street, Unit 13  
Orange, CA 92869

Jon Criss  
804 Harkness Lane, Unit 3  
Redondo Beach, CA 90278

/s/ *Javie-Anne Bauer*  
An employee of Marquis Aurbach Coffing



1 **PET**  
2 Maria L. Parra-Sandoval, Esq.  
3 Nevada Bar No. 13736  
4 **LEGAL AID CENTER OF**  
5 **SOUTHERN NEVADA, INC.**  
6 725 E. Charleston Blvd.  
7 Las Vegas, NV 89104  
8 Telephone: (702) 386-1526  
9 Facsimile: (702) 386-1526  
10 [mparra@lacsns.org](mailto:mparra@lacsns.org)  
11 *Attorney for Kathleen June Jones,*  
12 *Adult Protected Person*

8 **EIGHTH JUDICIAL DISTRICT COURT**  
9 **FAMILY DIVISION**  
10 **CLARK COUNTY, NEVADA**

10 In the Matter of Guardianship of the Estate of:

11 KATHLEEN JUNE JONES,  
12 Adult Protected Person.

**Case No. G-19-052263-A**  
**Dept. No. B**

**HEARING REQUESTED**

14 **PETITION TO APPROVE KATHLEEN JUNE JONES' PROPOSED**  
15 **VISITATION SCHEDULE**

17 Kathleen June Jones ("June"), the protected person herein, by and through her counsel,  
18 Maria L. Parra-Sandoval, Esq., hereby files this Petition to Approve Kathleen June Jones'  
19 Proposed Visitation Schedule. June's Petition is based upon and supported by the  
20 Memorandum of Points and Authorities contained herein, the pleadings and papers on file in  
21 this case, and the argument of counsel as allowed by the Court at the time of hearing.

22 DATED this 5<sup>th</sup> day of May, 2021.

24 **LEGAL AID CENTER OF**  
25 **SOUTHERN NEVADA, INC.**

26 /s/ Maria L. Parra-Sandoval  
27 Maria L. Parra-Sandoval, Esq.  
28 [mparra@lacsns.org](mailto:mparra@lacsns.org)  
725 E. Charleston Blvd  
Las Vegas, NV 89104  
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*Attorney for Kathleen June Jones*

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## MEMORANDUM OF POINTS AND AUTHORITIES

June has been clear that she has never wanted a visitation schedule for her adult children to visit or communicate with her.<sup>1</sup> However, her adult children have refused to listen to her stated desires and have made it difficult and expensive to honor her wishes. June has always wanted to see and speak with her adult children, but on her own terms, not theirs.

On February 24, 2021, June told Ms. Elizabeth Brickfield, the court-appointed Guardian ad Litem (“GAL”) that she did not want a schedule for visits and telephone calls: “I don’t want a schedule, no set time; I want to do it when I feel like it.”<sup>2</sup> But the GAL kept insisting on a schedule and asking June in *different* ways. The GAL asked, “What if your daughters agree on a schedule?”<sup>3</sup> June replied, “No, not really, no schedule at all.”<sup>4</sup> GAL again asked, “How about phone calls at a certain time of a week?”<sup>5</sup> June replied, “I don’t like a schedule at all.”<sup>6</sup> The GAL asked again, “Is there a day you prefer?”<sup>7</sup> June replied, “They can call any time.”<sup>8</sup> On March 25, 2021, at the in-person meeting with the GAL, the GAL was the one who raised the topic of a schedule and June once again turned it down making it clear she did not want a

<sup>1</sup> See Kathleen June Jones’ Opposition to Verified Petition for Communication, Visits, and Vacation Time with Protected Person, filed January 25, 2021.

<sup>2</sup> Zoom Interview with GAL on February 24, 2021, Notes taken by Maria Parra-Sandoval, Esq./LACNS Attorney for Kathleen June Jones.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*



1 schedule and that “They [her kids] should just call.”<sup>9</sup> June also stated she prefers calls to be  
2 short.<sup>10</sup>

3 Despite her own desired wishes and stated preferences, June feels she has been *forced*  
4 by all parties, including the court-appointed GAL, to concede on the issue of visitation. June  
5 does not have the resources to keep fighting her stubborn daughters on this issue nor to have  
6 the guardian’s attorney and GAL keep billing her estate on unending litigation surrounding this  
7 issue.  
8

9 While the GAL has suggested that all the adult children should be involved in creating  
10 a schedule on their own rather than through lawyers,<sup>11</sup> the reality is that the siblings’  
11 relationships are so eroded that it is unlikely that they can come up with a proposed schedule  
12 on their own. Therefore, June’s attorney has made attempts to communicate with all the adult  
13 children to canvass support for what June is willing to agree to at this time (*see* Exhibit A  
14 emails). The guardian has agreed to follow June’s proposed schedule (*see* Exhibit C). June’s  
15 attorney sent emails to Teri Butler, Scott Simmons, and to Robyn Friedman and Donna  
16 Simmons through their attorney, John Michaelson. Teri Butler approved of June’s proposed  
17 schedule (*see* Exhibit A). The emails sent to Scott Simmons were not deliverable (*see* Exhibit  
18 A). And the only reply from Mr. Michaelson was a very long-winded personal opinion about  
19 the case without any concrete reply from his clients to date (*see* Exhibit A).  
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23 June’s proposed schedule, should this Court approve it, incorporates aspects that other  
24 siblings had insisted upon before. The most contested issue for some of the siblings was that  
25

26 <sup>9</sup> In-person Interview with GAL on March 25, 2021, Notes taken by Elizabeth Mikesell,  
Esq./LACSN attorney.

27 <sup>10</sup> *Id.*

28 <sup>11</sup> *See* Guardian ad Litem’s Report to the Court, filed March 29, 2021; also *See* 4/06/2021  
email from Elizabeth Brickfield, Exhibit B.

1 they did not want the guardian to be present when visiting with June. The guardian has agreed  
2 to leave June's home to run errands during visits OR to stay in her own personal space during  
3 visits at the Anaheim home.<sup>12</sup> Furthermore, June does not want the guardian to be forced to  
4 leave the home during visits with any of her adult children. June requests for this Court to honor  
5 her preferences with regards to her desired schedule to communicate and visit with her adult  
6 children on her own terms.  
7

8 Under NRS 159.328 (h), a protected person has the right to "Remain as independent as  
9 possible, including, without limitation, to have his or her preference honored regarding his or  
10 her residence and standard of living, either as expressed or demonstrated before a determination  
11 was made relating to capacity *or as currently expressed, if the preference is reasonable under*  
12 *the circumstances.*" (Emphasis added).  
13

14 Additionally, under NRS 159.328 (i), a protected person has the right to "Be granted the  
15 greatest degree of freedom possible, consistent with the reasons for a guardianship, and *exercise*  
16 *control of all aspects of his or her life* that are not delegated to a guardian specifically by a court  
17 order."  
18

19 Since this is June's guardianship case and she retains her right to make decisions  
20 affecting her, and she is currently expressing her desired preference regarding communications  
21 and visitations with her adult children, and those preferences are reasonable, June requests for  
22 this Court to approve the following visitation schedule:  
23

- 24 • June wants visits to last one hour max with whoever visits her at her Anaheim house—  
25 any of her children and any of her grandchildren.
- 26 • June wants the visits on Friday mornings at 10:00 am. She can have a visitor from  
27 10:00 am to 11:00 am and a second visitor from 11:00 am to noon.
- 28 • The only other place she is willing to travel to is Donna's house, and again one hour  
max there too.

<sup>12</sup> See 5/5/2021 email from James Beckstrom, attorney for Guardian, Exhibit C.

- June does not want to stay overnight with anyone.
- To avoid communication issues, the guardian would leave June's Friday mornings *open for any visitor* (in-person visits or calls)
- Guardian must receive a confirmation (text or email) that that visitor is actually arriving, 24 hours before the scheduled visitor time.
- If no one-way confirmations are sent to the guardian by Thursday morning, the guardian is free to change plans for Friday mornings.
- If any of her children or grandchildren cannot visit June every Friday morning, they can send a confirmation to the guardian (on Thursday morning) and instead of a visit request to make June available for a call that Friday morning.
- If the visitor does not want the guardian around: *(1) the guardian will leave the home to run errands while visitations are taking place OR (2) visitations will simply take place in the common areas of the Anaheim home.* (June does not want the Guardian to be forced to leave the home during visitations as she will have her own personal space to retreat to for the length of the visitation.)
- June is happy to speak to anyone that calls her on any other day. As of 4/27/2021, the guardian had a landline installed for June's personal use. The phone number has been provided to her adult children.

June's proposed visitation is a reasonable one and seeks to appease all parties. For the above-stated reasons, June requests that this Court approve her proposed visitation schedule.

DATED this 5<sup>th</sup> day of May 2021

**LEGAL AID CENTER OF  
SOUTHERN NEVADA, INC.**  
/s/ Maria L. Parra-Sandoval, Esq.  
Maria L. Parra-Sandoval, Esq.  
Nevada Bar No. 13736  
**LEGAL AID CENTER OF  
SOUTHERN NEVADA, INC.**  
725 E. Charleston Blvd  
Las Vegas, NV 89104  
Telephone: (702) 386-1526  
Facsimile: (702) 386-1526  
[mparra@lacs.org](mailto:mparra@lacs.org)  
*Attorney Kathleen June Jones*

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 5<sup>th</sup> day of May, 2021, I deposited in the United States Mail at Las Vegas, Nevada, a copy of the foregoing document entitled **PETITION TO APPROVE KATHLEEN JUNE JONES' PROPOSED VISITATION SCHEDULE** in a sealed envelope, mailed regular U.S. mail, upon which first class postage was fully prepaid, addressed to the following:

Teri Butler  
586 N Magdalena St.  
Dewey, AZ 86327

Jen Adamo  
14 Edgewater Dr.  
Magnolia, DE 19962

Scott Simmons  
1054 S. Verde Street  
Anaheim, CA 92805

Jon Criss  
804 Harkness Lane, Unit 3  
Redondo Beach, CA 90278

Ryan O'Neal  
112 Malvern Avenue, Apt. E  
Fullerton, CA 92832

Tiffany O'Neal  
177 N. Singingwood Street, Unit 13  
Orange, CA 92869

Ampersand Man  
2824 High Sail Court  
Las Vegas, NV 89117

Courtney Simmons  
765 Kimbark Avenue  
San Bernardino, CA 92407

AND I FURTHER CERTIFY that on the same date I electronically served the same document to the following via ODYSSEY, the Court's electronic filing system, pursuant to EDCR 8.05:

John P. Michaelson  
[john@michaelsonlaw.com](mailto:john@michaelsonlaw.com)  
Jeffrey R. Sylvester, Esq.  
[jeff@SylvesterPolednak.com](mailto:jeff@SylvesterPolednak.com)  
*Attorneys for Robyn Friedman and Donna Simmons*

1 James Beckstrom, Esq.  
2 [jbeckstrom@maclaw.com](mailto:jbeckstrom@maclaw.com)  
3 Geraldine Tomich, Esq.  
4 [gtomich@maclaw.com](mailto:gtomich@maclaw.com)  
5 *Attorneys for Guardian Kimberly Jones*

6 Elizabeth Brickfield, Esq.  
7 [ebrickfield@dlnevalaw.com](mailto:ebrickfield@dlnevalaw.com)  
8 *Court-Appointed Guardian Ad Litem*

9 /s/ Penny Walker  
10 Employee of Legal Aid Center of Southern Nevada, Inc.

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## **EXHIBIT A**

## Maria Parra-Sandoval

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**From:** John Michaelson <john@Michaelsonlaw.com>  
**Sent:** Wednesday, April 14, 2021 4:42 PM  
**To:** Maria Parra-Sandoval  
**Subject:** RE: Kathleen June Jones

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**AmicusId:** 774294  
**AmicusStatus:** Saved  
**AmicusFileName:** Jones, Kathleen J. re: Adults Under Guardianship  
**AmicusFileIds:** 79094  
**AmicusTimeEntry:** Yes

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Maria, your presentation of the issues never ceases to astound me. Once again, I can see that you are very fixed on a paradigm that is not only wrong (not what we've represented to you) but also makes it virtually impossible to resolve issues in this case. Once again, we are not insisting on a schedule or forcing June to do anything. We've asked you, James and Kim (via my clients) many times to suggest a better way to connect to work things out. This "schedule" ironically that you suggest is the first proposal I've seen from you in almost 18 months and it is not workable. To express one of many obvious things that come to mind: why Friday morning? A work day for most people? June doesn't work. she's retired. June's expression of her desires to our clients is 180 degrees different from what you present. I'm curious why you don't find anything unusual about a family member guardian who will not remove herself even temporarily when visitors come, when things are so acrimonious. She and her boyfriend are keeping June from seeing her family. That violates June's basic rights. You continue to assert the legal aid position that you are just doing as your client directs, but surely you can see that some of your clients like June are not able to process the unreasonableness of what they might be demanding or asserting (in response to your representations and dialogue). I will forward your email, which is not humane towards June and her family and is not realistic in terms of family members who want to see their mother. I'm not certain you would want this for yourself if you were in their shoes. Also, as you know, June is often not able to answer her phone and is not capable of holding any conversation that even remotely allows arrangements to be made re visitation, yet you continue to assert that she can, despite many other people confirming the opposite. I would actually like to be there when you call her and see you make detailed arrangements with June for a visit without anyone else intervening. You say it can be done. I would like to see you do it. Even if June miraculously made arrangements with you, which she would not, I would be very curious to see if she actually shows up for the visit you had theoretically arranged.

John P. Michaelson, Esq. | MICHAELSON & ASSOCIATES, LTD. | [john@michaelsonlaw.com](mailto:john@michaelsonlaw.com) | 702.731.2333

---

**From:** Maria Parra-Sandoval <MParra@lacs.org>  
**Sent:** Wednesday, April 14, 2021 2:34 PM  
**To:** John Michaelson <john@Michaelsonlaw.com>  
**Subject:** Kathleen June Jones

Hi John,

After a series of conversations with June, she has instructed me to reach out to her daughters in an effort to reach an agreeable resolution on the issue of visitation. June once again reaffirmed that she never wanted a visitation schedule or anything that resembled a visitation schedule, but she knows she doesn't have an unlimited budget to keep fighting her daughters. June has reached a point where she is exhausted and has been forced to concede on this issue due to her limited resources.

This is what June is willing to agree to:

- June wants visits to last one hour max with whoever visits her at her Anaheim house—any of her children and any of her grandchildren.
- June wants the visits on Friday mornings at 10:00 am. She can have a visitor from 10:00 am to 11:00 am and a second visitor from 11:00 am to noon.
- The only other place she is willing to travel to is Donna's house, and again one hour max there too.
- June does not want to stay overnight with anyone.
- To avoid communication issues, the guardian would leave June's Friday mornings *open for any visitor* (in-person visits or calls)
- Guardian must receive a confirmation (text or email) that that visitor is actually arriving, 24 hours before the scheduled visitor time.
- If no one-way confirmations are sent to the guardian by Thursday morning, the guardian is free to change plans for Friday mornings.
- If any of her children or grandchildren cannot visit June every Friday morning, they can send a confirmation to the guardian (on Thursday morning) and instead of a visit request to make June available for a call that Friday morning.
- If the visitor doesn't want the guardian around: (1) the guardian will leave the home to run errands while visitations are taking place OR (2) visitations will simply take place in the common areas of the Anaheim home. (Guardian will not be forced to leave the home during visitations as she will have her own personal space to retreat to for the length of the visitation.)
- June is happy to speak to anyone that calls her on any other day as she usually has her phone close by.

Please let me know if Robyn and Donna would be agreeable to this communication/visitation plan before I go around canvassing support from the other adult children. Based on my exchanges with James Beckstrom, the guardian seems to be agreeable to the above.

Also, I did not copy Elizabeth Brickfield as it is my belief that her service has concluded with the filing of her Report to the court.

Kind Regards,  
Maria Parra-Sandoval

## Maria Parra-Sandoval

---

**From:** Teri Butler <terijbutler@gmail.com>  
**Sent:** Tuesday, April 20, 2021 11:54 AM  
**To:** Maria Parra-Sandoval  
**Subject:** Re: Guardianship Matter of Kathleen June Jones

**AmicusId:** 777531  
**AmicusStatus:** Saved  
**AmicusFileName:** Jones, Kathleen J. re: Adults Under Guardianship  
**AmicusFileId:** 79094  
**AmicusTimeEntry:** Yes

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Yes, I approve.

On Tue, Apr 20, 2021 at 9:54 AM Maria Parra-Sandoval <[MParra@lacsnsn.org](mailto:MParra@lacsnsn.org)> wrote:

Dear Teri,

I am the court-appointed attorney for your mother, June Jones. My job is to be her voice in Guardianship Court.

After a series of conversations with June, she has instructed me to reach out to her daughters in an effort to reach an agreeable resolution on the issue of visitation. June once again reaffirmed that she never wanted a visitation schedule or anything that resembled a visitation schedule, but she knows she doesn't have an unlimited budget to keep fighting her daughters. June has reached a point where she is exhausted and has been forced to concede on this issue due to her limited resources.

This is what June is willing to agree to:

- June wants visits to last one hour max with whoever visits her at her Anaheim house—any of her children and any of her grandchildren.
- June wants the visits on Friday mornings at 10:00 am. She can have a visitor from 10:00 am to 11:00 am and a second visitor from 11:00 am to noon.
- The only other place she is willing to travel to is Donna's house, and again one hour max there too.
- June does not want to stay overnight with anyone.
- To avoid communication issues, the guardian would leave June's Friday mornings *open for any visitor* (in-person visits or calls)
- Guardian must receive a confirmation (text or email) that that visitor is actually arriving, 24 hours before the scheduled visitor time.
- If no one-way confirmations are sent to the guardian by Thursday morning, the guardian is free to change plans for Friday mornings.

- If any of her children or grandchildren cannot visit June every Friday morning, they can send a confirmation to the guardian (on Thursday morning) and instead of a visit request to make June available for a call that Friday morning.
- If the visitor doesn't want the guardian around: (1) the guardian will leave the home to run errands while visitations are taking place OR (2) visitations will simply take place in the common areas of the Anaheim home. (Guardian will not be forced to leave the home during visitations as she will have her own personal space to retreat to for the length of the visitation.)
- June is happy to speak to anyone that calls her on any other day as she usually has her phone close by.

Please let me know if you are agreeable to this communication/visitation plan or if you would like to suggest something different. If you have different suggestions based on your own circumstances, let me know and I would be happy to talk to June about it and see if she's agreeable to any of your suggestions.

As of now, it seems like the guardian is agreeable to the above.

I appreciate any input you may have and look forward to your reply.

Kind Regards,

Maria Parra-Sandoval, Esq.

Attorney for Kathleen June Jones



## Maria Parra-Sandoval

---

**From:** MAILER-DAEMON@prod.hydra.sophos.com  
**Sent:** Tuesday, April 20, 2021 9:57 AM  
**To:** Maria Parra-Sandoval  
**Subject:** Undelivered Mail

This is an automated message from mail system at host MAILER-DAEMON@prod.hydra.sophos.com



### Message not delivered

Your message could not be delivered to one or more recipients. The details are attached below.

For further assistance, please contact your IT Administrator.

### Message details

Failure reason: <scottrottjustice@aol.com>: host mx-aol.mail.gm0.yahoodns.net[67.195.228.84] said: 552 1 Requested mail action aborted, mailbox not found (in reply to end of DATA command)

**From:** MParra@lacs.org

**To:** scottrottjustice@aol.com

**Subject:** Guardianship Matter of Kathleen June Jones

**Sent:** 2021-04-20T16:56:44.000Z

## Maria Parra-Sandoval

---

**From:** Maria Parra-Sandoval  
**Sent:** Tuesday, April 20, 2021 9:57 AM  
**To:** 'scottrottjustice@aol.com'  
**Subject:** Guardianship Matter of Kathleen June Jones

Dear Scott,

I am the court-appointed attorney for your mother, June Jones. My job is to be her voice in Guardianship Court. After a series of conversations with June, she has instructed me to reach out to her adult children in an effort to reach an agreeable resolution on the issue of visitation. June once again reaffirmed that she never wanted a visitation schedule or anything that resembled a visitation schedule, but she knows she doesn't have an unlimited budget to keep fighting her daughters. June has reached a point where she is exhausted and has been forced to concede on this issue due to her limited resources.

This is what June is willing to agree to:

- June wants visits to last one hour max with whoever visits her at her Anaheim house—any of her children and any of her grandchildren.
- June wants the visits on Friday mornings at 10:00 am. She can have a visitor from 10:00 am to 11:00 am and a second visitor from 11:00 am to noon.
- The only other place she is willing to travel to is Donna's house, and again one hour max there too.
- June does not want to stay overnight with anyone.
- To avoid communication issues, the guardian would leave June's Friday mornings *open for any visitor* (in-person visits or calls)
- Guardian must receive a confirmation (text or email) that that visitor is actually arriving, 24 hours before the scheduled visitor time.
- If no one-way confirmations are sent to the guardian by Thursday morning, the guardian is free to change plans for Friday mornings.
- If any of her children or grandchildren cannot visit June every Friday morning, they can send a confirmation to the guardian (on Thursday morning) and instead of a visit request to make June available for a call that Friday morning.
- If the visitor doesn't want the guardian around: (1) the guardian will leave the home to run errands while visitations are taking place OR (2) visitations will simply take place in the common areas of the Anaheim home. (Guardian will not be forced to leave the home during visitations as she will have her own personal space to retreat to for the length of the visitation.)
- June is happy to speak to anyone that calls her on any other day as she usually has her phone close by.

Please let me know if you are agreeable to this communication/visitation plan or if you would like to suggest something different. If you have different suggestions based on your own circumstances, let me know and I would be happy to talk to June about it and see if she's agreeable to any of your suggestions.

As of now, it seems like the guardian is agreeable to the above.

I appreciate any input you may have and look forward to your reply.

Kind Regards,  
Maria Parra-Sandoval, Esq.  
Attorney for Kathleen June Jones

## Maria Parra-Sandoval

---

**From:** MAILER-DAEMON@prod.hydra.sophos.com  
**Sent:** Thursday, April 29, 2021 2:41 PM  
**To:** Maria Parra-Sandoval  
**Subject:** Undelivered Mail

This is an automated message from mail system at host MAILER-DAEMON@prod.hydra.sophos.com



### Message not delivered

Your message could not be delivered to one or more recipients. The details are attached below.

For further assistance, please contact your IT Administrator.

### Message details

Failure reason: <scott@technocoating.com>: connect to technocoating.com[208.91.197.26]:25: Connection timed out

**From:** MParra@lacs.org

**To:** scott@technocoating.com

**Subject:** Guardianship Matter of Kathleen June Jones

**Sent:** 2021-04-29T21:41:19.000Z

## Maria Parra-Sandoval

---

**From:** Maria Parra-Sandoval  
**Sent:** Wednesday, April 28, 2021 2:02 PM  
**To:** 'Scott@technocoating.com'  
**Subject:** Guardianship Matter of Kathleen June Jones

**AmicusId:** 783937  
**AmicusStatus:** Saved  
**AmicusFileName:** Jones, Kathleen J. re: Adults Under Guardianship  
**AmicusFileIds:** 79094  
**AmicusDealtWith:** Yes

Dear Scott,

I am the court-appointed attorney for your mother, June Jones. My job is to be her voice in Guardianship Court.

After a series of conversations with June, she has instructed me to reach out to her adult children in an effort to reach an agreeable resolution on the issue of visitation. June once again reaffirmed that she never wanted a visitation schedule or anything that resembled a visitation schedule, but she knows she doesn't have an unlimited budget to keep fighting her daughters. June has reached a point where she is exhausted and has been forced to concede on this issue due to her limited resources.

This is what June is willing to agree to:

- June wants visits to last one hour max with whoever visits her at her Anaheim house—any of her children and any of her grandchildren.
- June wants the visits on Friday mornings at 10:00 am. She can have a visitor from 10:00 am to 11:00 am and a second visitor from 11:00 am to noon.
- The only other place she is willing to travel to is Donna's house, and again one hour max there too.
- June does not want to stay overnight with anyone.
- To avoid communication issues, the guardian would leave June's Friday mornings *open for any visitor* (in-person visits or calls)
- Guardian must receive a confirmation (text or email) that that visitor is actually arriving, 24 hours before the scheduled visitor time.
- If no one-way confirmations are sent to the guardian by Thursday morning, the guardian is free to change plans for Friday mornings.
- If any of her children or grandchildren cannot visit June every Friday morning, they can send a confirmation to the guardian (on Thursday morning) and instead of a visit request to make June available for a call that Friday morning.
- If the visitor doesn't want the guardian around: (1) the guardian will leave the home to run errands while visitations are taking place OR (2) visitations will simply take place in the common areas of the Anaheim home. (Guardian will not be forced to leave the home during visitations as she will have her own personal space to retreat to for the length of the visitation.)
- June is happy to speak to anyone that calls her on any other day as she usually has her phone close by. (And more recently, the guardian had a landline installed. You can reach your mom at 714-829-4256. I'm sure she would like to hear you.)

Please let me know if you are agreeable to this communication/visitation plan OR if you would like to suggest something different. If you have different suggestions based on your own circumstances, let me know and I would be happy to talk to June about it and see if she's agreeable to any of your suggestions.

As of now, it seems like the guardian is agreeable to the above.

I appreciate any input you may have and look forward to your reply.

Kind Regards,  
Maria Parra-Sandoval, Esq.  
Attorney for Kathleen June Jones



Maria Parra-Sandoval, Esq.  
Attorney, Consumer Rights Project  
Legal Aid Center of Southern Nevada, Inc.  
725 E. Charleston Blvd.  
Las Vegas, NV 89104  
702-386-1526 direct/fax  
702-386-1070 ext. 1526  
[mparra@lacsns.org](mailto:mparra@lacsns.org)  
[www.lacsns.org](http://www.lacsns.org)

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*Please remember Legal Aid Center of Southern Nevada in your estate plan.*

## **EXHIBIT B**



## Maria Parra-Sandoval

---

**From:** Elizabeth Brickfield <EBrickfield@dlnevadalaw.com>  
**Sent:** Tuesday, April 6, 2021 4:18 PM  
**To:** James A. Beckstrom  
**Cc:** Maria Parra-Sandoval  
**Subject:** RE: June Jones

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**AmicusId:** 787941  
**AmicusStatus:** Saved  
**AmicusFileName:** Jones, Kathleen J. re: Adults Under Guardianship  
**AmicusFileId:** 79094  
**AmicusTimeEntry:** Yes

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James: I appreciate Kimberly Jones' efforts at this time to what I hope is work with her siblings to establish a visitation schedule. My suggestion is that the siblings should communicate among themselves as to what they believe is a workable schedule rather than through the lawyers. Two of these children and the adult grandchildren are not represented. I believe that any proposed schedule cannot be on a last minute basis so as to disrupt everyone's plans. Finally, does the proposal include having family members visit June at her Anaheim home without Kimberly being in the building. Since I am a party and not counsel, with counsel's consent I am happy to email June's children for suggestions as to how visitation should work over the next 60 days or so. Elizabeth



DAWSON LORDAHL

TRUST ESTATE & BUSINESS ATTORNEYS  
Elizabeth Brickfield, Esq.,  
Member  
(p) 702.476.1119  
(f) 702.476.6442

[www.DLNevadaLaw.com](http://www.DLNevadaLaw.com)  
Trust, Estate & Business Attorneys  
8925 West Post Road, Suite 210  
Las Vegas, Nevada 89148  
A Professional Limited Liability Company

## EXHIBIT C

## Maria Parra-Sandoval

---

**From:** James A. Beckstrom <jbeckstrom@maclaw.com>  
**Sent:** Wednesday, May 5, 2021 11:28 AM  
**To:** Maria Parra-Sandoval  
**Subject:** RE: Guardianship of Kathleen June Jones

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Kimberly would very likely be comfortable leaving the house with family present. However, she isn't agreeable to being forced to leave her residence. She is fine going to her bedroom away from the other family members. This issue was discussed specifically with Judge Marquis at the settlement conference. The judge thought it was common sense that Kim shouldn't have to be kicked out of her house or banished when someone wanted to come visit.

The visits to the house should give any visitors access to the common areas, backyard, and June's room/ bathroom. Kimberly should be allowed to stay in her room or a different area of the house and would not interfere with any visits.

To clarify, if someone comes to visit, Kimberly is not going to sit in the room with them while they visit and wouldn't want to do that. Of course, this only applies to Mr. Michelson's clients, Kimberly has historically got along well with Donna and Robyn is trying to drive a divide between this family. If the family can visit together, that of course would be allowed.



**MARQUIS AURBACH  
COFFING**

**James A. Beckstrom, Esq.**

10001 Park Run Drive  
Las Vegas, NV 89145  
t | 702.207.6081  
f | 702.382.5816  
[jbeckstrom@maclaw.com](mailto:jbeckstrom@maclaw.com)  
[maclaw.com](http://maclaw.com)



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---

**From:** Maria Parra-Sandoval <MParra@lacsns.org>  
**Sent:** Wednesday, May 5, 2021 11:21 AM  
**To:** James A. Beckstrom <jbeckstrom@maclaw.com>  
**Subject:** [External] Guardianship of Kathleen June Jones

Hi James,

Can you confirm if Kimberly Jones is willing to follow June's proposed schedule below. More specifically, that she will either leave the Anaheim home to run errands or remain in her own personal space during the length of visits. This seemed to be the biggest issue for Mr. Michaelson's clients. Thanks.

This is what June is willing to agree to:

- June wants visits to last one hour max with whoever visits her at her Anaheim house—any of her children and any of her grandchildren.
- June wants the visits on Friday mornings at 10:00 am. She can have a visitor from 10:00 am to 11:00 am and a second visitor from 11:00 am to noon.
- The only other place she is willing to travel to is Donna's house, and again one hour max there too.
- June does not want to stay overnight with anyone.
- To avoid communication issues, the guardian would leave June's Friday mornings *open for any visitor* (in-person visits or calls)
- Guardian must receive a confirmation (text or email) that that visitor is actually arriving, 24 hours before the scheduled visitor time.
- If no one-way confirmations are sent to the guardian by Thursday morning, the guardian is free to change plans for Friday mornings.
- If any of her children or grandchildren cannot visit June every Friday morning, they can send a confirmation to the guardian (on Thursday morning) and instead of a visit request to make June available for a call that Friday morning.
- **If the visitor doesn't want the guardian around: (1) the guardian will leave the home to run errands while visitations are taking place OR (2) visitations will simply take place in the common areas of the Anaheim home. (Guardian will not be forced to leave the home during visitations as she will have her own personal space to retreat to for the length of the visitation.)**
- June is happy to speak to anyone that calls her on any other day as she usually has her phone close by (more recently, guardian has secured a landline for June's personal use).



Maria Parra-Sandoval, Esq.  
Attorney, Consumer Rights Project  
Legal Aid Center of Southern Nevada, Inc.  
725 E. Charleston Blvd.  
Las Vegas, NV 89104  
702-386-1526 direct/fax  
702-386-1070 ext. 1526  
[mparra@lacs.org](mailto:mparra@lacs.org)  
[www.lacs.org](http://www.lacs.org)

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ammon@michaelsonlaw.com  
2200 Paseo Verde Parkway, Ste. 160  
Henderson, Nevada 89052  
Ph: (702) 731-2333  
Fax: (702) 731-2337  
*Attorneys for Robyn Friedman  
and Donna Simmons*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

IN THE MATTER OF THE GUARDIANSHIP )	Case Number: G-19-052263-A
OF THE PERSON AND ESTATE OF: )	Department: B
)	
Kathleen June Jones, )	
)	
An Adult Protected Person. )	
)	

**REPLY TO LIMITED RESPONSE TO PETITION FOR VISITATION WITH THE  
PROTECTED PERSON**

<input type="checkbox"/> TEMPORARY GUARDIANSHIP	<input checked="" type="checkbox"/> GENERAL GUARDIANSHIP
<input type="checkbox"/> Person	<input type="checkbox"/> Person
<input type="checkbox"/> Estate <input type="checkbox"/> Summary Admin.	<input type="checkbox"/> Estate <input type="checkbox"/> Summary Admin.
<input type="checkbox"/> Person and Estate	<input checked="" type="checkbox"/> Person and Estate
<input type="checkbox"/> SPECIAL GUARDIANSHIP	<input type="checkbox"/> NOTICES / SAFEGUARDS
<input type="checkbox"/> Person	<input type="checkbox"/> Blocked Account
<input type="checkbox"/> Estate <input type="checkbox"/> Summary Admin.	<input type="checkbox"/> Bond Posted
<input type="checkbox"/> Person and Estate	<input type="checkbox"/> Public Guardian Bond

Robyn Friedman and Donna Simmons ("Petitioners" or "Robyn and Donna"), as family members and interested parties in this matter, by and through their attorneys at Michaelson & Associates, Ltd., hereby submits this Reply to Kimberly Jones' Limited Response to Petition for Visitation with the Protected Person and hereby alleges as follows:

1                                   **MEMORANDUM OF POINTS AND AUTHORITIES**

2           1.       Kim' counsel does not oppose the majority of the relief requested in the Petition  
3 for Visitation. As usual, Mr. Beckstrom does continue to enable, promote, and excuse bad  
4 behavior by his client. Mr. Beckstrom's tired narrative is that all Petitioners had to do is ask  
5 Kim for a visit with their mother because she is always happy to help her sisters visit with their  
6 mother. Mr. Beckstrom's vituperative but insubstantial commentary strategy of carpet bombing  
7 with condescending insults is actually an admission that his argument lacks any real substance.

8           2.       As the Court is aware, and as stated in the Petition, Petitioners were forced to  
9 Petition for a visit with their mother because of Kim's actions since being appointed guardian  
10 that interrupt and/or preclude visits between Petitioners and their mother, as demonstrated once  
11 again over Easter weekend.

12           3.       Prior to that weekend, Petitioners received credible information that Kim  
13 relocated Ms. Jones out of her home and moved her out of state as predicted without this Court's  
14 authorization. Once that was brought to light by Petitioners, to cover her tracks, Kim abruptly  
15 offered to drop Ms. Jones off at Robyn's home. Then, Kim did what she always does – went  
16 silent when Robyn tried to coordinate the visit. From there, Kim offered to drop Ms. Jones off  
17 at Donna's home in California. When questioned, Kim again did what Kim does and went silent.  
18 After incurring significant costs to see Ms. Jones, Petitioners could not even receive information  
19 from Kim to know where their mother was or have any confirmation that she was not sleeping  
20 in a car somewhere; let alone actually visit with their mother before she moved out of town.

21           4.       Mr. Beckstrom now says that Petitioners are wasting judicial resources because  
22 Petitioners should have done what they tried to do on Easter weekend – coordinate a visit through  
23 the guardian without court intervention. That strategy was pointless and unsuccessful on Easter  
24 weekend – AND HAS BEEN UNSUCCESSFUL THROUGHOUT THIS GUARDIANSHIP.  
25 And there is no reason to believe that Kim would be any different on Mother's Day weekend



1 without a Court order. Counsel for Petitioners has advised them of the need to meet and confer  
2 throughout the entirety of this guardianship. But there reaches a point when it is insulting and  
3 inhumane – and expensive – both emotionally and financially to allow Kim to play “master”  
4 with visitation.

5         5. Mr. Beckstrom also says that Petitioners’ counsel should have coordinated this  
6 Mother’s Day visit through Ms. Jones’ court-appointed counsel instead of filing a Petition. As  
7 discussed in the Petition for Visitation, Ms. Parra-Sandoval emailed Mr. Michaelson an  
8 obviously unworkable “proposed visitation schedule.” That proposed schedule would preclude  
9 the very visit that Petitioners are asking the Court for. In fact, the proposed schedule would  
10 preclude Petitioners and the rest of Ms. Jones’ family from ever seeing Ms. Jones on a holiday  
11 that does not fall on a Friday. And even on Friday holidays, Ms. Parra-Sandoval’s proposed  
12 schedule would preclude more than two members of Ms. Jones’ family seeing her for longer  
13 than one-hour each. Ms. Parra-Sandoval claims in her self-serving petition that Petitioners have  
14 not responded to her proposal. She knows that is untrue because she received an email outlining  
15 the flaws and points missed in her proposal yet has done nothing to address those. Additionally,  
16 Petitioner’s petition for visitation on Mother’s Day addresses her proposal at length. Yet she  
17 claims a lack of response. Ms. Parra-Sandoval enables and encourages the guardian committing  
18 elder abuse by, among other things, isolating her mother from her family.

19         6. Moreover, Petitioners should not have to go through Ms. Jones’ attorney to get  
20 Kim to facilitate a visit. In normal cases, the LACSN attorney would advise that visitation should  
21 be coordinated through the guardian. That is how Ms. Parra-Sandoval coordinates her visits  
22 with the protected person. Counsel for Petitioners actually challenged Ms. Parra-Sandoval to  
23 arrange a visit with Ms. Jones solely by calling Ms. Jones herself and without any facilitation  
24 from the guardian, and then prove that the visit would actually happen. Ms. Parra-Sandoval  
25 never responded. That’s because the requested feat is impossible. Yet that is what Mr.

1 Beckstrom and Ms. Parra-Sandoval routinely require of Petitioners.

2 7. Mr. Beckstrom's other-worldly ramblings underscore the necessity for this Court  
3 to order the relief requested. Because without court intervention, Petitioners are forced to get  
4 multiple attorneys involved and still end up deprived of a visit. This is exactly what happened  
5 on Easter weekend (and many other times since Kim was appointed guardian). Mr. Michaelson  
6 sent several emails to Mr. Beckstrom, Ms. Parra-Sandoval, and Ms. Brickfield. Even with the  
7 flurry of attorney involvement, and the threat of Court accountability, Petitioners were still  
8 deprived from seeing their mother that weekend. Mr. Beckstrom's response to the flurry of  
9 emails, information, and requests to clarify was simply to dismiss, belittle, and ignore. Yet once  
10 again, Mr. Beckstrom says regardless of another round of abuse heaped on Petitioners by himself  
11 and Kim, Petitioners should have continued trying what they have been trying for nearly two  
12 years, while hoping for a different outcome. Sounds like the definition of insanity.

13 8. Contrary to Mr. Beckstrom's statement, no one is asking Kim to simply drop off  
14 Ms. Jones at the registration desk. Rather, Petitioners do not feel safe visiting Ms. Jones at the  
15 Anaheim Home with Kim or her boyfriend potentially present. Accordingly, Petitioners merely  
16 ask Kim to do what she does with Ms. Jones' other appointments – transport Ms. Jones to the  
17 appointments. It is the same offer that Kim extended on Easter weekend when she offered to  
18 drop off and pick up Ms. Jones from Robyn's home and then Donna's home before she went  
19 silent. If she did not have an issue dropping off and picking up Ms. Jones on Easter weekend,  
20 then it makes no sense that she is now objecting to do the same thing on Mother's Day weekend.

21 9. As an alternative to this reasonable request (where Kim could help out in giving  
22 herself a reprieve from caregiving), Petitioners offer to have Ryan O'Neal, Petitioner Donna  
23 Simmons' son, pick up June on Saturday morning, May 8th, at 10:00 am at the Anaheim house,  
24 and then Donna will drop her mother off again at 7:00 pm that evening back at the Anaheim  
25 house.

1 **CONCLUSION**

2 Based on the foregoing, Petitioners request that the Petition for a Mother's Day Visit be  
3 granted over Kim's limited response and that the following relief be ordered:

- 4 1. Kim to facilitate and coordinate a visit for June to spend time with Petitioners and  
5 other family members on May 8, 2021 by dropping off June at 10:00 a.m. at the  
6 registration desk of the Holiday Inn Express & Suites located at 31573 Canyon  
7 Estates Dr., Lake Elsinore, California, then leaving the area and not being anywhere  
8 near the proximity of the family to allow the family to freely interact with their mother  
9 and grandmother and then picking up June again at 7:00 p.m. that evening from the  
10 same location;
- 11 2. Alternatively, Ryan O'Neal will pick up June at 10:00 a.m. from the Anaheim Home  
12 on May 8, 2021 and Donna will drop June off again at 7:00 p.m. at the Anaheim  
13 Home.
- 14 3. If Kim fails to obey this Court's order for the May 8, 2021 visit, then this Court should  
15 consider removing or suspending Kim as June's guardian at the scheduled May 13,  
16 2021 hearing.

17 DATED: May 5, 2021.

18 MICHAELSON & ASSOCIATES, LTD.

19 /s/ John P. Michaelson  
20 John Michaelson, Esq.  
Nevada Bar No. 7822  
21 Ammon E. Francom, Esq.  
Nevada Bar No. 14196  
22 2200 Paseo Verde Parkway, Ste. 160  
Henderson, Nevada 89052  
23 *Counsel for Petitioners*  
24  
25

**CERTIFICATE OF SERVICE**

Pursuant to NEFCR 9, that on May 5, 2021, the undersigned hereby certifies a copy of the foregoing Reply was electronically served on the following individuals and/or entities at the following addresses. In addition, pursuant to Nevada Rule of Civil Procedure 5(b), the undersigned hereby certifies that on May 5, 2021, a copy of the Reply was mailed by regular US first class mail, postage prepaid, in a sealed envelope in Henderson, Nevada, to the following individuals and/or entities at the following addresses:

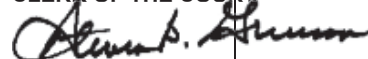
Jeffrey R. Sylvester, Esq. <a href="mailto:jeff@sylvesterpolednak.com">jeff@sylvesterpolednak.com</a>  Kelly L. Easton <a href="mailto:kellye@sylvesterpolednak.com">kellye@sylvesterpolednak.com</a>  Co-Counsel for Petitioners, Robyn Friedman and Donna Simmons	Maria L. Parra-Sandoval, Esq. Legal Aid Center of Southern Nevada <a href="mailto:mparra@lacs.org">mparra@lacs.org</a> <i>Attorney for Kathleen June Jones</i>  Penny Walker <a href="mailto:walker@lacs.org">walker@lacs.org</a>  <i>Counsel for June Jones</i>
Geraldine Tomich, Esq. <a href="mailto:gtomich@maclaw.com">gtomich@maclaw.com</a>  James Beckstrom, Esq. <a href="mailto:jbeckstrom@maclaw.com">jbeckstrom@maclaw.com</a>  Cheryl Becnel <a href="mailto:cbecnel@maclaw.com">cbecnel@maclaw.com</a>  <i>Attorneys for Kimberly Jones</i>	Kate McCloskey <a href="mailto:NVGCO@nvcourts.nv.gov">NVGCO@nvcourts.nv.gov</a>  LaChasity Carroll <a href="mailto:lcarr@nvcourts.nv.gov">lcarr@nvcourts.nv.gov</a>  Sonja Jones <a href="mailto:sjones@nvcourts.nv.gov">sjones@nvcourts.nv.gov</a>
Elizabeth Brickfield DAWSON & LORDAHL PLLC <a href="mailto:ebrickfield@dlnevadalaw.com">ebrickfield@dlnevadalaw.com</a>  Melissa R. Douglas <a href="mailto:mdouglas@dlnevadalaw.com">mdouglas@dlnevadalaw.com</a>  Karen Friedrich <a href="mailto:kfriedrich@dlnevadalaw.com">kfriedrich@dlnevadalaw.com</a>  <i>Guardian Ad Litem for Kathleen June Jones</i>	

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Teri Butler 586 N. Magdalena Street Dewey, AZ 86327	Scott Simmons <a href="mailto:scott@technocoatings.com">scott@technocoatings.com</a>
Jen Adamo 14 Edgewater Drive Magnolia, DE 19962	Jon Criss 804 Harkness Lane, Unit 3 Redondo Beach, CA 90278
Ryan O'Neal 112 Malvern Avenue, Apt. E Fullerton, CA 92832	Tiffany O'Neal 177 N. Singing Wood Street, Unit 13 Orange, CA 92869
Courtney Simmons 765 Kimbark Avenue San Bernardino, CA 92407	

MICHAELSON & ASSOCIATES, LTD.

/s/ Amber Pinnecker  
Employee of Michaelson & Associates



1 **EXPP**

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3 Nevada Bar No. 13736

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7 Las Vegas, NV 89104

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9 Facsimile: (702) 386-1526

10 [mparra@lacsnsn.org](mailto:mparra@lacsnsn.org)

11 *Attorney for Kathleen June Jones,*  
12 *Adult Protected Person*

13  
14 **EIGHTH JUDICIAL DISTRICT COURT**  
15 **FAMILY DIVISION**  
16 **CLARK COUNTY, NEVADA**

17 In the Matter of Guardianship of the Estate of:

18 **Case No. G-19-052263-A**  
19 **Dept. No. B**

20 KATHLEEN JUNE JONES,  
21 Adult Protected Person.

22 **EX PARTE MOTION FOR AN ORDER SHORTENING TIME FOR HEARING ON**

23 **PETITION TO APPROVE KATHLEEN JUNE JONES' PROPOSED**

24 **VISITATION SCHEDULE**

25 Kathleen June Jones ("June"), the protected person herein, by and through her counsel,  
26 Maria L. Parra-Sandoval, Esq., hereby files this Ex Parte Motion for an Order Shortening Time  
27 pursuant to EDCR 5.514 and request that this Court shorten the time in which to hear the  
28 attached Petition for **May 13, 2021**. This application is based upon the pleadings and papers  
on file and the Affidavit of June's attorney attached to this motion.

DATED this 6<sup>th</sup> day of May, 2021.

**LEGAL AID CENTER OF**  
**SOUTHERN NEVADA, INC.**

/s/ Maria L. Parra-Sandoval

Maria L. Parra-Sandoval, Esq.

Nevada Bar No. 13736

*Attorney for Kathleen June Jones*



1 **AFFIDAVIT OF MARIA L. PARRA-SANDOVAL, ESQ. IN SUPPORT OF EX PARTE**  
2 **MOTION FOR AN ORDER SHORTENING TIME**

3 Maria L. Parra-Sandoval, Esq. declares as follows:

- 4 1. I am an attorney with Legal Aid Center of Southern Nevada, and court-appointed  
5 attorney for Kathleen June Jones, an Adult Protected Person.
- 6 2. I am duly licensed to practice law in the State of Nevada and have personal knowledge  
7 of and I am competent to testify concerning the facts herein.
- 8 3. That the Protected Person filed a Petition to Approve Kathleen June Jones' Proposed  
9 Visitation Schedule on May 5, 2021.
- 10 4. That the Master Calendar Clerk set the hearing date on the subject Petition for May 27,  
11 2021 at 2:30 p.m.
- 12 5. This Court has a hearing already set for **May 13, 2021** at 1:00 p.m. on a continued  
13 hearing from February 11, 2021 on the Verified Petition for Communication, Visits, and  
14 Vacation Time with Protected Person ("Verified Petition"); Kimberly Jones Opposition  
15 to Verified Petition et al; Kathleen June Jones' Opposition to Verified Petition et al; and  
16 Petitioners' Omnibus Reply.
- 17 6. Undersigned seeks to have the Petition to Approve Kathleen June Jones' Proposed  
18 Visitation Schedule heard on a date already set by this Court—**May 13, 2021 at 1:00**  
19 **p.m.** instead of May 27, 2021.
- 20 7. The Protected Person seeks an *expedited hearing* on the Petition to Approve Kathleen  
21 June Jones' Proposed Visitation Schedule, as her proposed schedule seeks to appease  
22 the parties that filed the Verified Petition and incorporates aspects that have been  
23 contested issues during negotiations.
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1 8. An expedited hearing is necessary to avoid additional hearings on the same issue  
2 (communication and visitation with the protected person).

3 9. The Protected Person's Proposed Visitation Schedule would be a reasonable resolution  
4 that this Court can consider in conjunction with the various pleadings already filed and  
5 are scheduled to be heard on May 13, 2021.  
6

7 10. That the Protected Person has temporarily relocated to California, and this is the  
8 schedule that the Protected Person has *expressly* stated to undersigned she is willing to  
9 accept.  
10

11 11. That this Ex Parte Motion for an Order Shortening Time is made in good faith.  
12

13 Pursuant to NRS 53.045, I declare under penalty of perjury under the laws of the State  
14 of Nevada that the foregoing is true and correct.

15 Dated this 6<sup>th</sup> day of May, 2021.  
16

17 **LEGAL AID CENTER OF**  
18 **SOUTHERN NEVADA, INC.**

19 /s/ Maria L. Parra-Sandoval, Esq.

20 Maria L. Parra-Sandoval, Esq.

21 Nevada Bar No. 13736

22 *Attorney Kathleen June Jones*  
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Location : Family Courts   Images Help

**CASE No. G-19-052263-A**

www.pearsoned.com

Cross-Reference Case Number:  
Supreme Court No.:

<b>Guardian of Person and Estate</b>	<b>Friedman, Robyn</b> 2824 High Sail Court Las Vegas,, NV 89117	<b>Lead Attorneys</b> <b>John P. Michaelson</b> <i>Retained</i> 7027312333(W)
<b>Objector</b>	<b>Jones, Kimberly</b> 18543 Yorba Linda Blvd #146 Yorba Linda, CA 92886	<b>Pro Se</b>
<b>Petitioner</b>	<b>Friedman, Robyn</b> 2824 High Sail Court Las Vegas,, NV 89117	<b>John P. Michaelson</b> <i>Retained</i> 7027312333(W)
<b>Petitioner</b>	<b>Simmons, Donna</b> 1441 N. Redgum, Unit G Anaheim, CA 92806	<b>John P. Michaelson</b> <i>Retained</i> 7027312333(W)
<b>Protected Person</b>	<b>Jones, Kathleen June</b> 1315 Enchanted River DR Henderson. NV 89012	<b>Elizabeth R. Mikesell</b> <i>Retained</i> 702-386-1533(W)

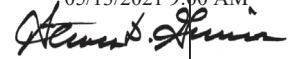
## 05/12/2021 | Minute Order (2:45 PM) (Judicial Officer Marquis, Linda)

05/12/2021 2:45 PM

<https://www.clarkcountycourts.us/Secure/CaseDetail.aspx?CaseID=11989299&HearingID=205895088&SingleViewMode=Minutes>

be determined by the Court at an Evidentiary Hearing before the Court can enter an order relative to Robyn Friedman and Donna Simmons' request for communication, access, and time with their Mother, the Protected Person, pursuant to NRS 159.332 through NRS 159.337, and NRS 159.328. Therefore, an Evidentiary Hearing relative to the Petitions for Visitation, Petition to Approve Proposed Visitation Schedule, and Oppositions SHALL be set for Tuesday, June 8, 2021, at 9:00 a.m. Each Party shall file a Pre-Trial Memorandum on or before June 1, 2021, at 5:00 p.m., especially focusing on legal points and authorities. Each Party shall electronically submit to the Department's Law Clerk an Index of Proposed Exhibits and the Proposed Exhibits via e-mail on or before June 1, 2021, at 5:00 p.m. Counsel shall meet and confer prior to the Evidentiary Hearing to determine whether a stipulation can be reached relative to the Proposed Exhibits. Accordingly, the Hearings set for the following dates are VACATED: May 13, 2021; May 27, 2021; and June 3, 2021. The Court notes that this matter remains in non-compliance. A copy of this Minute Order shall be provided to all parties. CLERK S NOTE: A copy of this Minute Order was e-mailed to parties at the e-mail address on record with the Court; if no e-mail address was available, the minute order was mailed to the physical address of record 5/12/21. (kc)

[Return to Register of Actions](#)

  
CLERK OF THE COURT

1 **OST**

2 Maria L. Parra-Sandoval, Esq.  
3 Nevada Bar No. 13736

4 **LEGAL AID CENTER OF**  
5 **SOUTHERN NEVADA, INC.**

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10 [mparra@lacsnc.org](mailto:mparra@lacsnc.org)

11 *Attorney for Adult Protected Person*

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**EIGHTH JUDICIAL DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA**

In the Matter of Guardianship of the Estate of:

**Case No. G-19-052263-A**  
**Dept. No. B**

KATHLEEN JUNE JONES,  
Adult Protected Person.

**ORDER SHORTENING TIME**

Upon the Affidavit of Maria L. Parra-Sandoval, Esq., attorney for the Protected Person, and good cause appearing therefore:

IT IS HEREBY ORDERED that the time for hearing on the Petition to Approve Kathleen June Jones' Proposed Visitation Schedule is hereby shortened and shall be heard on the 13th day of May, 2021 at the hour of 1:00 in Department B of the Eighth Judicial District Court, located at the Regional Justice Center, 200 Lewis Avenue, Las Vegas, Nevada 89155.

Dated this 13th day of May, 2021

By: 

DISTRICT COURT JUDGE  
A5A 5E3 F3B4 CACA  
Linda Marquis  
District Court Judge

Submitted by:

**LEGAL AID CENTER OF**  
**SOUTHERN NEVADA, INC.**

/s/ Maria L. Parra-Sandoval, Esq.

Maria L. Parra-Sandoval, Esq.  
*Attorney Kathleen June Jones*

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

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5  
6 In the Matter of the Guardianship  
of:

CASE NO: G-19-052263-A

7 Kathleen Jones, Protected  
8 Person(s)

DEPT. NO. Department B

9  
10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 5/13/2021

15 Kelly Easton	kellye@sylvesterpolednak.com
16 Lenda Murnane	lenda@michaelsonlaw.com
17 James Beckstrom	jbeckstrom@maclaw.com
18 Jeffrey Sylvester	jeff@sylvesterpolednak.com
19 Maria Parra-Sandoval, Esq.	mparra@lacs.org
20 Javie-Anne Bauer	jbauer@maclaw.com
21 Kate McCloskey	NVGCO@nvcourts.nv.gov
22 Sonja Jones	sjones@nvcourts.nv.gov
23 LaChasity Carroll	lcarroll@nvcourts.nv.gov
24 Melissa Douglas	mdouglas@dlnevadalaw.com
25 Elizabeth Brickfield	ebrickfield@dlnevadalaw.com



1	Penny Walker	<a href="mailto:pwalker@lacsns.org">pwalker@lacsns.org</a>
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3	John Michaelson	<a href="mailto:john@michaelsonlaw.com">john@michaelsonlaw.com</a>
4	John Michaelson	<a href="mailto:john@michaelsonlaw.com">john@michaelsonlaw.com</a>
5	David Johnson	<a href="mailto:dcj@johnsonlegal.com">dcj@johnsonlegal.com</a>
6	Karen Friedrich	<a href="mailto:kfriedrich@dlnevadalaw.com">kfriedrich@dlnevadalaw.com</a>
7	Geraldine Tomich	<a href="mailto:gtomich@maclaw.com">gtomich@maclaw.com</a>
8	Matthew Whittaker	<a href="mailto:matthew@michaelsonlaw.com">matthew@michaelsonlaw.com</a>
9	Ammon Francom	<a href="mailto:ammon@michaelsonlaw.com">ammon@michaelsonlaw.com</a>
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11	Matthew Whittaker	<a href="mailto:matthew@michaelsonlaw.com">matthew@michaelsonlaw.com</a>
12	Ammon Francom	<a href="mailto:ammon@michaelsonlaw.com">ammon@michaelsonlaw.com</a>
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**PMEM**

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Ph: (702) 731-2333  
Fax: (702) 731-2337  
Counsel for Petitioner

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

IN THE MATTER OF THE GUARDIANSHIP )	Case Number: G-19-052263-A
OF THE PERSON AND ESTATE OF: )	Department: B
)	
Kathleen June Jones, )	
)	Evidentiary Hearing: 06/08/2021
An Adult Protected Person. )	Time of Hearing: 9:00 a.m.
)	

**ROBYN FRIEDMAN'S and DONNA SIMMONS' PRE-TRIAL MEMORANDUM  
REGARDING COMMUNICATION AND VISITS, AND EXHIBIT LIST**

COME NOW, Robyn Friedman and Donna Simmons ("Petitioners" or "Robyn and Donna"), as family members and interested parties in this matter, by and through their attorneys at Michaelson & Associates, Ltd., and hereby submit their Pre-Trial Memorandum and Exhibit List as follows, and request that this Court enter an order governing communications, visits and vacation time between family members and/or persons of natural affection and/or interested parties and Ms. Jones:

**I. PARTIES**

1. Kathleen June Jones ("Ms. Jones") is the protected person in this action.
2. Kimberly Jones ("Kim") is the general guardian of Kathleen June Jones.

1 3. Robyn Friedman and Donna Simmons are the Petitioners in the above-referenced action,  
2 and they are seeking an order governing communications, visits and vacation time between family  
3 member and/or persons of natural affection and/or interested parties and Ms. Jones.

4 **II. RELEVANT PROCEDURAL BACKGROUND**

5 4. On September 23, 2019, the order was entered that appointed Robyn and Donna as  
6 Temporary Guardians of the Person and Estate of Ms. Jones.

7 5. On September 25, 2019, the order was entered that appointed Maria L. Parra-Sandoval,  
8 Esq. of the Legal Aid Center of Southern Nevada as counsel for Ms. Jones.

9 6. On October 3, 2019, the order was entered that extended the temporary guardianship  
10 through December 3, 2019.

11 7. On November 25, 2019, the order was entered that appointed Kim as General Guardian of  
12 Ms. Jones.

13 8. On June 23, 2020, the order was entered that discharged Robyn and Donna as temporary  
14 guardians of Ms. Jones.

15 9. On December 30, 2020, Robyn and Donna filed their Verified Petition for Communication,  
16 Visits, and Vacation Time with Protected Person.

17 10. On December 31, 2020, Robyn and Donna filed their Supplement to Verified Petition for  
18 Communication, Visits and Vacation Time with Protected Person.

19 11. On January 25, 2021, Ms. Jones' legal aid attorney filed Kathleen June Jones' Opposition  
20 to Verified Petition for Communication, Visits, and Vacation Time with Protected Person.

21 12. On January 25, 2021, Kim filed her Opposition to Verified Petition for Communication,  
22 Visits, and Vacation Time with Protected Person.  
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1 13. On February 1, 2021, Robyn and Donna filed Petitioner's Omnibus Reply to: (1) Kimberly  
2 Jones' Opposition to Verified Petition for Communication, Visits, and Vacation Time with  
3 Protected Person; and (2) Kathleen June Jones' Opposition to Verified Petition for  
4 Communication, Visits, and Vacation Time with Protected Person ("Omnibus Reply").

5 14. On February 3, 2021, Robyn and Donna filed their Supplement to Petitioner's Omnibus  
6 Reply to: (1) Kimberly Jones' Opposition to Verified Petition for Communication, Visits, and  
7 Vacation Time with Protected Person; and (2) Kathleen June Jones' Opposition to Verified Petition  
8 for Communication, Visits, and Vacation Time with Protected Person.

9 15. On February 12, 2021, the Court entered its Order to Appoint Investigator.

10 16. On February 16, 2021, the Court entered its Order Appointing Guardian Ad Litem.

11 17. On May 5, 2021, Ms. Jones filed her Petition to Approve Kathleen June Jones' Proposed  
12 Visitation Schedule ("Ms. Jones' Proposed Schedule").

13 18. On May 12, 2021, the Court entered its Minute Order setting an Evidentiary Hearing on  
14 June 8, 2021 regarding the Petition for Communication, Ms. Jones' Opposition, Kim's Opposition,  
15 the Omnibus Reply, and Ms. Jones' Proposed Schedule.

16  
17 **III. FACTS OF THE CASE RELEVANT TO THE PETITIONS AND**  
18 **OPPOSITIONS AT ISSUE IN THE JUNE 8, 2021 EVIDENTIARY HEARING**

19 19. Much of what is at issue includes what Kim is not doing or communicating as guardian for  
20 Ms. Jones that Kim should be doing or communicating. It is difficult to prove what is not being  
21 done, but the following facts do help show some of what Kim has not done and has not  
22 communicated as guardian that she should have done and communicated. The following also helps  
23 show that Kim very likely has not done things that are either legally required of a guardian, or that  
24 are things a guardian should do; and also that Kim has likely not communicated as guardian on  
25

1 many occasions that nobody knows about except her because she was the only person privy to  
2 action(s) that she should have taken or the information she should have communicated.

3 20. The following show some facts and incidents that can be documented through written  
4 communications and/or testimony. However, it must be stated that in the interest of the time  
5 available at the evidentiary hearing and for conciseness in the pleadings, not every fact and incident  
6 showing Kim's failure to act and/or communicate as the guardian of Ms. Jones is included below.  
7 There are many more examples over years of texts that are not included for these reasons.

8 21. It is also important to note that the following facts and incidents relative to communication,  
9 visits and visitation are best considered within the larger context of this case that includes Kim's  
10 failures as Power of Attorney to safeguard Ms. Jones' house, bank account, and healthcare  
11 appointments; failure as guardian to file a timely or complete Accounting; failure to file a timely  
12 or complete Care Plan; failure to respond - ever - to defects outlined by the Guardianship  
13 Compliance Office regarding the one partial and inappropriate accounting; her failure to properly  
14 request and obtain this Court's authority to move Ms. Jones out-of-state; and her lack of  
15 transparency in failing to provide needed healthcare information to Ms. Jones' other family  
16 members that Ms. Jones wants them to have, including medication information, medical diagnoses  
17 and treatment, professional plans affecting her role as guardian, Ms. Jones roommates in  
18 California, etc.

19  
20 22. Ms. Jones cannot operate a cell phone without assistance. Petition for Communication,  
21 page 7, paragraph 22 and page 13, paragraph 39.

22 23. Kim does not help Ms. Jones operate her cell phone to communicate with Robyn or Donna  
23 or schedule visits with them and their families. *See* Petition for Communication, page 8, paragraph  
24 25; page 19, paragraph 58; Omnibus Reply, Exhibit C; Exhibit 6.  
25

1           24. Kim necessarily facilitates Ms. Jones' medical and legal appointments, gardener, vet, dog  
2 groomer, dry cleaner, etc., yet Kim will not do the same for communication, visits and vacations  
3 with family members.

4           25. Prior to the May Agreement, Kim took Ms. Jones to Arizona and intentionally interfered  
5 with Donna and her family's planned visit with Ms. Jones. Petition for Communication, page 10,  
6 paragraph 33.

7           26. On May 19, 2020, Kim, through counsel, confirmed an agreement for communication,  
8 visits and vacation time ("May Agreement"). Petition for Communication, page 8-9, paragraph 27;  
9 Exhibit 5 May Agreement.

10           27. The May Agreement included that Kim would call Robyn on behalf of Ms. Jones on  
11 Tuesdays and/or Fridays at or around 6:00 p.m., but Kim did not follow through with this  
12 agreement. Petition for Communication, Page 8, paragraph 27(a). Exhibits 1, 4 and 6 May  
13 Agreement.

14           28. Ms. Jones cannot keep track of her own phone. Petition for Communication, page 8,  
15 paragraph 27(b). Exhibits 2 and 3.

16           29. Kim disabled Facetime on Ms. Jones' phone. Petition for Communication, page 9,  
17 paragraph 27(c). Exhibit 6.

18           30. On July 22, 2020, Kim got aggressive with Ms. Jones regarding her going to Palm Springs  
19 with Robyn and her family, and Kim shouted Robyn, her husband, and her young son out of Ms.  
20 Jones' house. Petition for Communication, page 9, paragraph 27(d-e). Exhibit 1.

21           31. During the time frame between July 24, 2020 and August 1, 2020, Kim denied Robyn  
22 vacation time with Ms. Jones when Kim took Ms. Jones to Arizona instead to see another family  
23 member. Petition for Communication, page 9, paragraph 27(f). Exhibit 6. It appears Kim planned  
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1 to deny Robyn and her family visitation this way, and even had an alternate plan in place to take  
2 Ms. Jones to Utah if she did not take Ms. Jones to Arizona. Kim's silence and refusing to  
3 communicate cause Robyn and her family to scuttle all their plans.

4 32. On June 13, 2020, Robyn and Ms. Jones were locked out of Ms. Jones' home less than two  
5 minutes after exiting the front door when Ms. Jones' needed to return to the home to use the  
6 bathroom and Kim would not respond at all, not even to Robyn's text messages asking if Ms. Jones  
7 had eaten. Kim had just been in Robyn's and Ms. Jones' presence when they walked out the door,  
8 so Kim was known to be in the home. Petition for Communication, page 11, paragraph 34. Exhibit  
9 6.

10 33. Kim did not respond for weeks to Robyn's repeated question of whether Ms. Jones'  
11 physician had answered about whether Ms. Jones' was healthy enough to handle the altitude at  
12 Brian Head, Utah, where Robyn frequently vacationed, accompanied by her mother Ms. Jones.  
13 Petition for Communication, page 11, paragraph 35. Exhibit 6.

14 34. Kim's attorney told Ms. Jones about Gerry Yeoman's passing, not Kim, and Robyn and  
15 Donna did not know about it until their counsel learned about it from the A-case pleadings. Petition  
16 for Communication, page 12, paragraph 37.7

17 35. Kim does not provide Robyn or Donna with important information regarding Ms. Jones'  
18 health and safety.

19 36. Kim provided only hurried and late communication with Donna after the September 17,  
20 2020 hearing when Kim set a last-minute visit with Donna and Ms. Jones even though Kim and  
21 Ms. Jones had been in California near Donna's home (as well as the homes of many of Ms. Jones'  
22 posterity who live in the area) for days. Petition for Communication, page 12, paragraph 38.  
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1 37. During Donna's hurried visit with Ms. Jones after the September 17, 2020 hearing, Kim  
2 told Donna that to avoid confusing Ms. Jones, Donna should only give Ms. Jones the option of  
3 two locations to go to for some food. Petition for Communication, page 13, paragraph 40.

4 38. On one occasion, while Robyn was on a call with Ms. Jones and tried to schedule a visit,  
5 someone in the background told Ms. Jones to hang up, and Ms. Jones ended the call. Petition for  
6 Communication, page 14, paragraph 42.

7 39. Kim's communications to Donna were curt, inflexible and designed to make Donna appear  
8 as though she was declining visitation to Ms. Jones during early 2020. Petition for Communication,  
9 page 14, paragraph 43.

10 40. On October 10, 2020, Robyn lost thousands of dollars canceling employees, etc. for a  
11 weekend event for her business due to Kim's last-minute offer to see Ms. Jones, and then Kim  
12 would not even communicate about whether Ms. Jones had eaten dinner so Robyn could plan  
13 dinner accordingly. Petition for Communication, pages 15-17, paragraph 45-50; Exhibit 6.

14 41. On October 13, 2020, Kim reverted back to her "just call mom strategy." Petition for  
15 Communication, page 17, paragraphs 51-52; Exhibit 6.

16 42. On October 30, 2020, Robyn tried Kim's "just call mom" strategy to arrange for Ms. Jones  
17 to see Ms. Jones grandson in his Halloween costume, with very poor results. Petition for  
18 Communication, pages 17-18, paragraphs 53-54; page 22, paragraph 67; Exhibit 6.

19 43. On December 3, 2020, Robyn tried to schedule a visit with Ms. Jones to exchange  
20 Christmas gifts, but without success. Petition for Communication, page 18, paragraph 55. Exhibit  
21 6.  
22  
23  
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1 44. On December 14, 16 and 20, 2020, Kim made it very difficult for Robyn and her family to  
2 provide Christmas gifts to Ms. Jones. Petition for Communication, page 19, paragraph 56; page  
3 22, paragraph 67. Exhibit 6.

4 45. Kim finally agreed at the last minute to visit for 2-3 hours at Robyn's home that took all  
5 day to coordinate. Petition for Communication, page 22, paragraph 67. Ultimately, Robyn and  
6 her husband and their son, Ms. Jones' grandson, had to open gifts with Ms. Jones in their car  
7 parked along a roadway because Kim would not leave Ms. Jones' home to allow a private  
8 Christmas visit with Ms. Jones in her home. As detailed to Kim, Robyn's home was under  
9 construction and not safe for Ms. Jones to visit.

10 46. With regard to communication and visits, Kim texted to Robyn/Donna on several/many  
11 occasions to the effect "don't treat mom like a child," or "Just call mom," or "coordinate through  
12 mom." Petition for Communication, page 10, paragraphs 29-30. Exhibit 6.

13 47. Ms. Jones is disoriented as to year, month, week and hour. Petition for Communication,  
14 page 4, paragraph 12.

15 48. Ms. Jones' own counsel stated Ms. Jones did not remember that Ms. Jones did not own the  
16 Kraft house. Petition for Communication., page 6, paragraph 21.

17 49. Although Ms. Jones was married at the restaurant Ventano, when Robyn took her there,  
18 Ms. Jones did not remember the restaurant Ventano, that she had been married there, or who she  
19 married at that location. Petition for Communication, page 6, paragraph 21.

20 50. On January 20, 2021, Ms. Jones enjoyed time with Robyn and her family riding in the  
21 "blue car". Supplement to Omnibus Reply, Exhibit A; Exhibit 10. There would be no way to enjoy  
22 this kind of an outing during a one hour visit at Ms. Jones' home as the proposed schedule offers.  
23  
24  
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1 51. On Mother's Day weekend 2021, Ms. Jones enjoyed a family day. Exhibit 9. There would  
2 be no way to enjoy this kind of a day during a one hour visit at Ms. Jones' home as the proposed  
3 schedule offers.

4 52. Ms. Jones' Guardian Ad Litem concluded in her Report to the Court filed March 29, 2021  
5 ("GAL Report") that:

- 6 (1) Ms. Jones wants visits and communications with her children and grandchildren and these  
7 visits and communications are in her best interest;
- 8 (2) Ms. Jones' child and grandchildren want to visit and communicate with her;
- 9 (3) Ms. Jones' lacks the ability to manage, initiate or plan these communications and visits;
- 10 (4) Kimberly Jones has not encouraged or facilitated these visits and communications; and
- 11 (5) Kimberly Jones is unlikely to encourage and facilitate visits without supervision by the  
12 Court and even then the Court will be required to expend significant efforts to make sure  
the visitation occurs.

13 **IV. RESOLVED ISSUES**

14 53. None.

15 **V. UNRESOLVED ISSUES**

16 54. A communication schedule for family to communicate with Ms. Jones while she has  
17 necessary assistance.

18 55. A schedule of, or procedure for scheduling visits for family to have with Ms. Jones.

19 56. A schedule of, or procedure for scheduling vacations for family to have with Ms. Jones.

20 57. An order requiring Kim to leave the premises, with reasonable notice so that visits can  
21 happen at Ms. Jones' home without Kim or her boyfriend present. Upon information and belief,  
22 Kim has no respite from her caretaking; she insists on being present for every visit from anyone  
23 with Mr. Jones. There is a great deal of acrimony between Kim and the rest of the family, and the  
24 family do not feel safe or welcome with Kim hovering over them. Robyn and Donna acknowledge  
25

1 Kim should not be kicked out randomly from Ms. Jones' home, but neither should she be allowed  
2 to thwart visits by steadfastly refusing to leave so others can visit with Mr. Jones.

3 **VI. LIST OF WITNESSES**

- 4 1. Name: Kathleen June Jones (Will Call)  
5 Address: c/o Legal Aid Center of Southern Nevada  
6 ATTN: Maria Parra-Sandoval, Esq.  
7 725 E. Charleston Blvd.  
8 Las Vegas, Nevada 89104  
9 Phone: (702) 386-1526

10 Ms. Jones is the protected person and is expected to testify regarding any knowledge and  
11 information she has that is relevant to this evidentiary hearing, including but not limited to her  
12 ability to operate her cell phone; her preferences regarding communication, visits and vacations  
13 with family members; her use of Facetime; the scheduling of communication, visits and vacations  
14 with family members; the scheduling of medical, legal, gardener, veterinarian and dog grooming  
15 appointments for Ms. Jones' benefit; her orientation as to year, month, week and hour; and her  
16 interactions with Kim, Robyn and Donna regarding communication, visits and vacations with  
17 family members.

- 18 2. Name: Robyn Friedman (Will Call)  
19 Address: c/o Michaelson & Associates, Ltd.  
20 2200 Paseo Verde Parkway, Suite 160  
21 Henderson, Nevada 89052  
22 Phone: (702) 731-2333

23 Robyn is the daughter of Ms. Jones and is expected to testify regarding any knowledge and  
24 information she has that is relevant to this evidentiary hearing, including but not limited to  
25 interactions with Kim, the Guardian, regarding Robyn's efforts to communicate with Kim and Ms.  
Jones, and the difficulties Robyn has encountered with Kim to arrange communications and visits  
with Ms. Jones for either in-person or telephone visits, and to schedule vacation with Ms. Jones.  
Robyn is also expected to testify to Kim's lack of cooperation in facilitating visits, communication,

1 vacations, important information regarding Ms. Jones' health and safety, as well as Ms. Jones'  
2 ability to operate her cell phone; Ms. Jones' representation to her regarding Ms. Jones' preferences  
3 regarding communication, visits and vacations with family members; Ms. Jones' use of Facetime;  
4 Ms. Jones' and/or Kim's scheduling communication, visits and vacations with family members;  
5 the scheduling of medical, legal, gardener, veterinarian and dog grooming appointments for Ms.  
6 Jones; and Ms. Jones' orientation as to year, month, week and hour; Kim's lack of transparency  
7 and failures as designated agent in her mother's power of attorney, Kim's unwillingness as  
8 guardian, to provide needed information including but not limited to a timely or complete  
9 Accounting, a timely or complete Care Plan, to properly request and obtain Court authorization to  
10 move Ms. Jones out-of-state, failure to provide needed healthcare information including  
11 medication information, medical diagnoses and treatment, etc. to family members in order to assist  
12 in the care of Ms. Jones.

13  
14 3. Name: Donna Simmons (Will Call)  
15 Address: c/o Michaelson & Associates, Ltd.  
16 2200 Paseo Verde Parkway, Suite 160  
Henderson, Nevada 89052  
Phone: (702) 731-2333

17 Donna is the daughter of Ms. Jones and is expected to testify regarding any knowledge and  
18 information she has that is relevant to this evidentiary hearing, including but not limited to  
19 interactions with Kim, the Guardian, regarding Donna's efforts to communicate with Kim and Ms.  
20 Jones, and the difficulties Donna has encountered with Kim to arrange communications and visits  
21 with Ms. Jones for either in-person or telephone visits, and to schedule vacation with Ms. Jones.  
22 Donna is also expected to testify to Kim's lack of cooperation in facilitating visits, communication,  
23 vacations, important information regarding Ms. Jones' health and safety, as well as Ms. Jones'  
24 ability to operate her cell phone; Ms. Jones' representation to her regarding Ms. Jones' preferences  
25



1 regarding communication, visits and vacations with family members; Ms. Jones' use of Facetime;  
2 Ms. Jones' and/or Kim's scheduling communication, visits and vacations with family members;  
3 the scheduling of medical, legal, gardener, veterinarian and dog grooming appointments for Ms.  
4 Jones; and Ms. Jones' orientation as to year, month, week and hour; Kim's lack of transparency  
5 and failures as designated agent in her mother's power of attorney, Kim's unwillingness as  
6 guardian, to provide needed information including but not limited to a timely or complete  
7 Accounting, a timely or complete Care Plan, to properly request and obtain Court authorization to  
8 move Ms. Jones out-of-state, failure to provide needed healthcare information including  
9 medication information, medical diagnoses and treatment, etc. to family members in order to assist  
10 in the care of Ms. Jones.

11           4. Name: Kimberly Jones (May Call)  
12           Address: c/o Marquis, Aurbach & Coffing  
13           10001 Park Run Drive  
14           Las Vegas, Nevada 89145  
15           Phone: (702) 382-0711

16           Kimberly Jones is the daughter and general guardian of Ms. Jones and is expected to testify  
17 regarding any knowledge and information she has that is relevant to this evidentiary hearing,  
18 including but not limited to interactions with Robyn and/or Donna regarding communication with  
19 Ms. Jones, and the difficulties Robyn and Donna have encountered with Kim to arrange  
20 communications and visits with Ms. Jones for either in-person or telephone visits, and to schedule  
21 vacation with Ms. Jones. Kim is also expected to testify to her lack of cooperation in facilitating  
22 visits, communication, vacations, important information regarding Ms. Jones' health and safety,  
23 as well as Ms. Jones' ability to operate her cell phone; Ms. Jones' use of Facetime; Ms. Jones'  
24 and/or Kim's scheduling communication, visits and vacations with family members; the  
25 scheduling of medical, legal, gardener, veterinarian and dog grooming appointments for Ms. Jones;

1 and Ms. Jones' orientation as to year, month, week and hour; Kim's lack of transparency and  
2 failures as designated agent in her mother's power of attorney, Kim's unwillingness as guardian,  
3 to provide needed information including but not limited to a timely or complete Accounting, a  
4 timely or complete Care Plan, to properly request and obtain Court authorization to move Ms.  
5 Jones out-of-state, failure to provide needed healthcare information including medication  
6 information, medical diagnoses and treatment, etc. to family members in order to assist in the care  
7 of Ms. Jones.

8           5. Name: Elizabeth Brickfield, Esq.  
9           Address: DAWSON & LORDAHL PLCC  
10           8925 W. Post Road, Suite 210  
11           Las Vegas, Nevada 89148  
12           Phone: (702) 476-6440

13           As Guardian Ad Litem, Ms. Brickfield is not a party to this case, but is an officer of the  
14 court who may advocate for Ms. Jones' best interests as requested and allowed by the Court  
15 regarding the report she has submitted to the Court, including but not limited to Ms. Jones'  
16 preferences as to visitation, communication and scheduling vacation time with her family, Kim's  
17 actions and responsibilities as guardian, communication regarding Ms. Jones' health and safety,  
18 etc.

19           6. Name: LaChasity Carroll.  
20           Address: Supreme Court of Nevada  
21           Administrative Office of the Courts  
22           408 E. Clark Ave.  
23           Las Vegas, Nevada 89101  
24           Phone: (702) 486-9392

25           As the Guardianship Compliance Investigator in this case regarding the issues to be decided  
at the evidentiary hearing, Ms. Carroll is not a party to this case, but she may speak as requested  
and allowed by the Court regarding her investigation and report to the Court, including but not  
limited to visitation, communication and scheduling vacation time for Ms. Jones with her family,

1 Kim's actions and responsibilities as guardian, communication regarding Ms. Jones' health and  
2 safety, etc.

3 7. Name: Scott Simmons (May Call)  
4 scott@technocoatings.com

5 Scott is the son of Ms. Jones and is expected to testify regarding any knowledge and  
6 information he has that is relevant to this evidentiary hearing, including but not limited to  
7 interactions with Kim, the Guardian, and/or Robyn and Donna regarding efforts to communicate  
8 with Kim and Ms. Jones, and the difficulties encountered with Kim to arrange communications  
9 and visits with Ms. Jones for either in-person or telephone visits, and to schedule vacation with  
10 Ms. Jones. Scott is also expected to testify to Kim's lack of cooperation in facilitating meaningful  
11 visits, communication, and vacations, including Ms. Jones' call to him to invite him to a swap  
12 meet during the last week of May 2021, important information regarding Ms. Jones' health and  
13 safety, as well as Ms. Jones' ability to operate her cell phone; Ms. Jones' representation to him  
14 regarding Ms. Jones' preferences regarding communication, visits and vacations with family  
15 members; Ms. Jones' use of Facetime; Ms. Jones' and/or Kim's scheduling communication, visits  
16 and vacations with family members; the scheduling of medical, legal, gardener, veterinarian and  
17 dog grooming appointments for Ms. Jones; and Ms. Jones' orientation as to year, month, week and  
18 hour.

19  
20 8. Name: Cameron Simmons (May Call)  
21 Cameronnscottt@yahoo.com

22 Cameron a grandson of Ms. Jones and is expected to testify regarding any knowledge and  
23 information he has that is relevant to this evidentiary hearing, including but not limited to Kim not  
24 allowing any sort of visits with Ms. Jones unless they were on Kim's terms with Kim's supervision,  
25 as well as how Ms. Jones always opened the door to any of her grandchildren when they would

make a trip to visit, and how happy Ms. Jones is when all the family gets together to spend time with her.

9. Name: Samantha Ihrig-Simmons (May Call)  
285 N. Singingwood St. #4  
Orange, CA 92869

Samantha is a granddaughter of Ms. Jones and is expected to testify regarding any knowledge and information she has that is relevant to this evidentiary hearing, including but not limited to contact with Kim, the Guardian, regarding efforts to communicate with Kim and Ms. Jones, and the difficulties encountered with Kim to arrange communications and visits with Ms. Jones for either in-person or telephone visits, especially when Samantha came to Nevada from California and attempted to see Ms. Jones for Samantha's 21<sup>st</sup> Birthday and Kim with no notice took Ms. Jones to Arizona instead despite having confirmed the visit with family, which action disallowed the visit.

#### VII. EXHIBIT LIST

<u>Exhibit</u>	<u>Description</u>	<u>Bates No.(s)</u>	<u>Stipulated To Admit</u>	<u>OBJ</u>	<u>Offered Date</u>	<u>Admitted Date</u>
1	Text messages between Ms. Jones and Robyn from October 31, 2019 to September 22, 2020	M&A00001-M&A00004				
2	Transcript of Robyn Friedman's June 13, 2020 Audio Recording of June Jones Outside the Kraft House	M&A00005-M&A00006				

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3	Robyn Friedman's June 13, 2020 Audio Recording of June Jones Outside the Kraft House	M&A00007				
4	Call logs between Ms. Jones and Robyn between November 28, 2019 and September 3, 2020; Call logs between Ms. Jones and/or Kim and Robyn between October 29, 2019 and September 3, 2020; Graph of call logs	M&A00008-M&A00016				
5	Emails between John Michaelson, Esq. and James A. Beckstrom, Esq. from May 18, 2020 to June 3, 2020	M&A00017-M&A00031				
6	Text messages between Robyn and Kim between May 28, 2020 and October 13, 2020; Text messages between Robyn and Kim regarding Halloween 2020; Text	M&A00032-M&A00108				

	messages between Robyn and Kim regarding several incidents					
7	Text message from Robyn to Ms. Jones on September 17, 2020 regarding Gerry's passing	M&A00109				
8	Transcript Re: Hearing Citation to Appear dated Tuesday, October 15, 2019	M&A00110-M&A00213				
9	Photos from Mother's Day 2021	M&A00214-M&A00218				
10	Photos from January 20, 2021 with Ms. Jones in the blue car.	M&A00219-M&A00223				

#### **VIII. UNUSUAL LEGAL OR FACTUAL ISSUES PRESENTED**

58. In its May 12, 2021 Minute Order, this Court ordered each party to “file a Pre-Trial Memorandum on or before June 1, 2021, at 5:00 p.m., especially focusing on legal points and authorities.” The following is a Robyn and Donna’s focus on legal points and authorities relevant to the facts of this case:

59. Kim has repeatedly violated NRS 159.332(1) that states, “[a] guardian shall not restrict the right of a protected person to communicate, visit or interact with a relative or person of natural affection, including, without limitation, by telephone, mail or electronic communication unless”



1 certain criteria are met, and none of those criteria allowing for restriction of communication with  
2 the protected person are met or at issue in this case.

3 60. As shown by the facts of this case that are detailed above in Section III and that will be  
4 established by witness testimony and exhibits at the evidentiary hearing, Kim has repeatedly  
5 restricted Ms. Jones' communication, visits and interaction with Robyn and Donna and their  
6 families.

7 61. Furthermore, as is correctly stated in the Guardian Ad Litem's Report to the Court, Ms.  
8 Jones wants communications, visits, and vacations with all her children and grandchildren in her  
9 home, in their homes, and on overnights and vacations, GAL Report, page 2. Also as stated in the  
10 Guardian Ad Litem's Report on page 3, because Ms. Jones lacks the ability to initiate telephone  
11 calls or schedule visits, it is in Ms. Jones' best interest for her guardian, Kim, to encourage and  
12 facilitate these communications, visits and vacations to make sure they happen; Kim "should make  
13 this family interaction a top priority for the quality of Ms. Jones' life," Kim "should be facilitating  
14 and encouraging the mutual desire of parent and child to visit and communicate with each other  
15 on a regular basis," and it is Kim's "responsibility to make this happen."

17 62. Unfortunately, as reported in the Guardian Ad Litem's Report on page 3, Kim does not  
18 comprehend the desire of her mother and family to interact with one another; Kim does not  
19 understand that these interactions in Ms. Jones' home should take place out of Kim's presence;  
20 Kim will not agree to siblings visiting with Ms. Jones in Ms. Jones' home without Kim present;  
21 and Kim will not agree to encourage other visits or vacations between Ms. Jones and Ms. Jones'  
22 other children.

23 63. The facts of this case that are detailed above in Section III and shown by the evidence  
24 corroborate the Guardian Ad Litem's Report that Kim does not understand and is not encouraging  
25

1 or facilitating Ms. Jones interaction with other family members in a way that is contrary to Ms.  
2 Jones' best interest. Kim is restricting Ms. Jones' desired communication, visits and interaction  
3 with other family members in violation of NRS 159.332(1).

4 64. Persuasive precedent establishing that Kim is in violation of her duties as guardian is found  
5 in *Estate of Schneider v. Schneider*, 570 S.W.3d 647, 2019 Mo. App. LEXIS 402 \*\* that was  
6 decided on March 26, 2019 in the Court of Appeals of Missouri, Western District, Division Three.

7 65. In *Schneider*, the lower court removed a father as guardian of his adult son and appointed  
8 a different guardian, in part, because the father restricted his adult son's access to the adult son's  
9 close family members including his sister and her family, his brother, his aunt, and familiar  
10 relationships at the church the adult son had attended since 1978. *Schneider*, 570 S.W.3d at 650-  
11 51.

12 66. The lower court's decision was upheld by the higher court as it was based upon the advice  
13 and recommendation of a Guardian Ad Litem and its independent review of the father's failure to  
14 comply with statute and father's failure to act in the adult son's best interest. *Schneider*, 570  
15 S.W.3d at 655-57.

16 67. Among the father's many failings as guardian, there were several that are on point in this  
17 case: (1) father isolated his adult son from his siblings because of how the father perceived the  
18 siblings were treating the father and his new wife; (2) the father stopped speaking with the adult  
19 son's sister and refused to allow the sister to come to his home, not because of how the sister  
20 treated the adult son that was under guardianship, but because of how the father perceived the  
21 sister was treating him and his new wife; and (3) the father stopped taking the adult son to the  
22 church the adult son had attended since 1978. *Schneider*, 570 S.W.3d at 656-57.  
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1           68. *Schneider* and the Guardian Ad Litem's report herein, respectively, illustrate that Kim  
2 must set her personal differences with Robyn and Kim aside and that Kim's actions in restricting  
3 communication, visits and vacations between Ms. Jones and Robyn, Donna and their families, and  
4 Kim's failure to encourage and facilitate the same are contrary to Ms. Jones' best interests and is  
5 actionable by this Court.

6           69. Under NRS 159.328(1)(h), Ms. Jones' desire must be honored to have communication,  
7 visits and vacation time with family in her home, and in their homes, and on vacations, as that is  
8 reported in the Guardian Ad Litem's Report, page 2, and through the evidence to be presented at  
9 the hearing herein.

10           70. Under NRS 159.328(1)(i), Ms. Jones' does have the right to be granted the greatest degree  
11 of freedom possible, *consistent with the reasons for the guardianship*, and exercise control of all  
12 aspects of her life *that are not delegated to a guardian specifically by a court order*. However, Ms.  
13 Jones' does not have the ability to initiate or ultimately effectuate plans for communications and  
14 visits with family members, as stated in the Guardian Ad Litem's Report, pages 2-3, and the time  
15 has come for this Court to enter an order regarding communications, visits and vacation time with  
16 Ms. Jones. As stated in the Guardian Ad Litem's Report, page 4, "[t]his Court should insist that  
17 Ms. Jones' rights and desires be carried out through a plan created with the involvement of all of  
18 Ms. Jones' children and put in place by the guardian."

19           71. Under NRS 159.328(1)(l), Ms. Jones has the right to be treated fairly by her guardian, Kim,  
20 and that includes Kim acting in Ms. Jones' best interest to encourage and facilitate Ms. Jones'  
21 desire for communication, visits and vacation with family members that Ms. Jones no longer has  
22 the ability to initiate or schedule.  
23  
24  
25

1 72. Kim has violated Ms. Jones' right under NRS 159.328(1)(n) to "[r]eceive telephone calls,  
2 and personal mail and have visitors." The witness testimony and exhibits that will be presented in  
3 this case show that Kim has violated NRS 159.328(1)(n) by interfering with, blocking and  
4 disallowing Robyn and Donna and their families from having communication, visits and vacations  
5 with Mr. Jones.

6 73. Witness testimony and exhibits that will be presented in the case also show that Kim is not  
7 sharing important health and safety information with Robyn or Donna. This also is not in Ms.  
8 Jones's best interest. Ms. Jones indicated to her Guardian Ad Litem that she wants her children to  
9 know of her medical conditions and that she has made decisions for the disposal of her remains.  
10 GAL Report, page 4. As noted by the Guardian Ad Litem, "the ability to know of your parent's  
11 medical conditions and to be able to say a final goodbye are inherent in the concept of visitation."  
12 Kim is interfering with these aspects of the communication and visitation that Ms. Jones desires  
13 to have with her other children as well.

14 74. Under the statutes and case law analyzed above, upon recommendation of the Guardian Ad  
15 Litem, and based on the evidence that will be presented, this Court has authority and grounds to  
16 enter an order governing communication, visits and vacations between Ms. Jones and her family  
17 members.  
18

19 75. If it becomes apparent at the evidentiary hearing that removal of the guardian is  
20 appropriate, NRS 159.185 is the governing statute, as follows, in relevant part:

21 **NRS 159.185 Conditions for removal.**

22 1. The court may remove a guardian if the court determines that:

23 (a) The guardian has become mentally incapacitated, unsuitable or otherwise incapable  
24 of exercising the authority and performing the duties of a guardian as provided by law;

25 (b) The guardian is no longer qualified to act as a guardian pursuant to [NRS 159.0613](#);  
\* \* \*

(c) The guardian has negligently failed to perform any duty as provided by law or by  
any order of the court and:

1 (1) The negligence resulted in injury to the protected person or the estate of the  
protected person; or

2 (2) There was a substantial likelihood that the negligence would result in injury to  
the protected person or the estate of the protected person;

3 (f) The guardian has intentionally failed to perform any duty as provided by law or by  
any lawful order of the court, regardless of injury;

4 (g) The guardian has violated any right of the protected person that is set forth in this  
chapter;

5 \* \* \*

6 (i) The guardian has violated any provision of [NRS 159.331](#) to [159.338](#), inclusive, or  
a court order issued pursuant to [NRS 159.333](#);

7 (j) The best interests of the protected person will be served by the appointment of  
another person as guardian; or

8 \* \* \*

9 2. A guardian may not be removed if the sole reason for removal is the lack of money  
to pay the compensation and expenses of the guardian.

10 **IX. LENGTH OF THE EVIDENTIARY HEARING**

11 76. Per the Minute Order filed with this Court on May 12, 2021 setting the evidentiary hearing,  
12 the Court has set aside one day for the evidentiary hearing.

13 **X. EXPECTED EVIDENTIARY OBJECTIONS**

14 77. None, the exhibits listed above are relevant, common, and create no evidentiary concerns.


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DATED: June 1, 2021.

  
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**CERTIFICATE OF SERVICE**

Pursuant to Nevada Rule of Civil Procedure 5(b) and NEFCR 9 the undersigned hereby certifies that on June 1, 2021 a copy of **ROBYN FRIEDMAN'S AND DONNA SIMMONS' PRE-TRIAL MEMORANDUM REGARDING COMMUNICATION AND VISITS, AND EXHIBIT LIST** were e-served and/or mailed by USPS regular Mail, postage prepaid, in a sealed envelope in Henderson, Nevada to the following individuals and/or entities at the following addresses: on the following individuals and/or entities at the following addresses:

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**EIGHTH JUDICIAL DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA**

In the matter of the Guardianship of the Person  
and Estate of:

KATHLEEN JUNE JONES

Adult Protected Person.

**Case No.: G-19-052263-A  
Dept. No.: B**

**Hearing Requested**

**MOTION TO STAY EVIDENTIARY HEARING PENDING PETITION FOR WRIT  
OF PROHIBITION AND PETITION FOR WRIT OF MANDAMUS**

Adult Protected Person, Kathleen June Jones ("June"), by and through her counsel, Maria L. Parra-Sandoval, Esq., of Legal Aid Center of Southern Nevada, Inc., respectfully requests this Court to stay the Evidentiary Hearing scheduled for June 8, 2021 at 9:00 a.m., pending resolution of the Petition for Writ of Prohibition and Petition for Writ of Mandamus ("Writ Petition") filed on June 2, 2021. The Writ Petition was electronically stamped by the Supreme Court of Nevada as case number 82974 on June 2, 2021.

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1 This Motion is based on NRAP 8(a)(1), the following Memorandum of Points and  
2 Authorities, and any other evidence this Court may wish to consider.

3 DATED this 2<sup>nd</sup> day of June, 2021.

4 **LEGAL AID CENTER OF**  
5 **SOUTHERN NEVADA, INC.**

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14 *Attorneys for Kathleen June Jones, Adult*  
15 *Protected Person*

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. BACKGROUND**

3 June brings this Motion to Stay Guardianship Proceedings in order to allow the Nevada  
4 Supreme Court to reach a decision in the pending Writ Petition, attached hereto as Exhibit A.

5 This Court has continually ignored June's rights under the Protected Person's Bill of  
6 Rights, and because June cannot directly appeal, there was no other recourse to take than to seek  
7 writ relief from the appellate court. June has been clear that she never wanted the imposition of  
8 a visitation schedule nor visitation restrictions. Yet, this Court has disregarded June's express  
9 wishes and has entertained Robyn and Donna's request for visitation, going so far as to appoint  
10 a guardian ad litem to determine what is in June's best interests.

12 As a desperate attempt to have some decision-making power in her life, June filed her  
13 petition to approve her proposed schedule, assuming that this would be the end of disputes  
14 regarding visitation. However, instead of this Court addressing and approving June's own  
15 proposed schedule, this Court issued a Minute Order on May 12, 2021, vacating the May 13,  
16 2021 hearing when June's petition would have been heard. The Minute Order set an Evidentiary  
17 Hearing for June 8, 2021 at 9:00 a.m. The Court will likely canvass June and/or subject June to  
18 cross-examination by her daughters. If the Settlement Conference that took place on March 30,  
19 2021<sup>1</sup> is of any indication on June's emotional well-being, putting June on the stand to be cross-  
20 examined by her daughters' attorney will subject her to additional unnecessary stress. This Court  
21 has a duty to protect and respect the dignity of protected persons, and to allow them a voice  
22 through their court-appointed counsel.

25 June filed the Writ Petition on June 2, 2021. This Motion seeks a stay of the Evidentiary  
26

28 <sup>1</sup> Despite June wanting to speak to Judge Marquis herself, June was unable to speak and was shaking. June was so nervous that right after Judge Marquis left to speak to the other parties, June had a bathroom accident.

1 Hearing scheduled for June 8, 2021 at 9:00 a.m. while a decision on the Writ Petition is pending  
2 in the Nevada Supreme Court.

## 3 II. STANDARD OF REVIEW

4 A request to stay a district court's proceedings pending resolution of the Writ Petition to  
5 the Nevada Supreme Court first should be made to the district court. NRAP 8(a)(1)(A). The  
6 Court considers the following factors in deciding whether to issue a stay:  
7

8 (1) whether the object of the appeal or writ petition will be defeated if the stay  
9 or injunction is denied; (2) whether appellant/petitioner will suffer irreparable or  
10 serious injury if the stay or injunction is denied; (3) whether respondent/real party  
11 in interest will suffer irreparable or serious injury if the stay or injunction is  
granted; and (4) whether appellant/petitioner is likely to prevail on the merits in  
the appeal or writ petition.

12 NRAP 8(c) (*Stays in Civil Cases Not Involving Child Custody*); see also *Mikohn Gaming Corp.*  
13 *v. McCrea*, 120 Nev. 248, 251, 89 P.3d 36, 38 (2004).

14 Consideration of these factors weighs heavily in favor of granting June's request for a  
15 stay of the Evidentiary Hearing. If the Court does not grant the stay and allows the scheduled  
16 Evidentiary Hearing, the potential damage to June's emotional well-being is serious and  
17 irreparable. On the other hand, if the Nevada Supreme Court denies the relief requested in the  
18 Writ Petition, this Court can easily reschedule the Evidentiary Hearing to take place later. June  
19 is likely to prevail on the merits of her Writ Petition because the Protected Person's Bill of  
20 Rights protects June's independence in regards to her familial relationships and right to manage  
21 visitation. An adult protected person's express wishes should be the end of any visitation dispute.  
22 Therefore, for these reasons, as discussed in more detail below, this Court should stay the  
23 Evidentiary Hearing pending resolution of the Writ Petition by the Nevada Supreme Court.  
24  
25

## 26 III. ARGUMENT

### 27 A. The Object of the Writ Petition Will Be Defeated if the Stay is Denied.

1 The object of the Writ Petition is to 1) prevent an Evidentiary Hearing on visitation when  
2 the adult protected person has already *expressed* her wishes on the subject; and 2) for the district  
3 court to adhere to the Protected Person's Bill of Rights when an adult protected person is  
4 objecting to the imposition of a visitation schedule or any visitation restrictions. If this Court  
5 denies the stay, June's rights will continue to be violated; June will be subjected to cross-  
6 examination; and additional litigation fees will be incurred by her estate. It is, therefore, self-  
7 evident that the object of the Writ Petition will be defeated if the stay is denied. Accordingly,  
8 June clearly prevails on the first factor in NRAP 8(c).  
9

10 **B. The Balancing of Potential Harms Favors June.**

11 The next two factors in NRAP 8(c) create a balancing test of the potential harms to the  
12 writ petitioner and parties of interest if their respective requests regarding the stay are denied.  
13 In this case, the balancing of these factors weighs heavily in June's favor.  
14

15 On one hand, June, the petitioner, will suffer irreparable or serious injury if this Court  
16 denies the stay of the Evidentiary Hearing. Testifying in court is a stressful event. If June is  
17 forced to testify as a witness and is subjected to cross-examination by her daughters' attorney  
18 despite all parties knowing June's express wishes, while the Writ Petition is pending, and then  
19 prevails on the writ, then this Court would have unnecessarily caused June great distress.  
20

21 On the other hand, there is very little, if any, injury to Robyn and Donna, the parties in  
22 interest, if the stay of the Evidentiary Hearing is granted. In fact, it is hard to imagine how  
23 staying the Evidentiary Hearing would be detrimental or harmful to the daughters as the  
24 daughters have no rights afforded to them in guardianship proceedings. It is June, the protected  
25 person, who has rights and has been asserting such rights through her court-appointed counsel.  
26 Yet June's express wishes have been ignored.  
27  
28



1 C. **June is likely to prevail on the merits of her Writ Petition on the grounds**  
2 **that the Court has ignored June's express wishes and that such wishes must**  
3 **be honored under the Protected Person's Bill of Rights.**

4 The Protected Person's Bill of Rights provides that, among other things, a protected  
5 person has the right to "[p]articipate in developing a plan for his or her care," "[h]ave due  
6 consideration given to his or her current and previously stated personal desires," "[r]emain as  
7 independent as possible," and "[b]e granted the greatest degree of freedom possible." NRS  
8 159.328(1). Protecting such rights and fostering the overall independence of protected persons  
9 was the catalyst behind the Legislature enacting the Protected Person's Bill of Rights when it  
10 overhauled NRS 159 in 2017.

11 Also, the rights in the Protected Persons' Bill of Rights are the kind of personal decisions  
12 that the U.S. Supreme Court has held are afforded constitutional protections. *See Planned*  
13 *Parenthood of Southeastern Pennsylvania v. Casey*, 505 U.S. 833, 851 (1992) ("Our law affords  
14 constitutional protection to personal decisions relating to . . . family relationships[.]"); *Zablocki*  
15 *v. Redhail*, 434 U.S. 374, 385 (1978) ("While the outer limits of the right to personal privacy  
16 have not been marked by the Court, it is clear that among the decisions that an individual may  
17 make without unjustified government interference are personal decisions relating to . . . family  
18 relationships[.]") (quotation marks, alterations, and citation omitted). Indeed, "[t]hese matters,  
19 involving the most intimate and personal choices a person may make in a lifetime, choices central  
20 to personal dignity and autonomy, are central to the liberty protected by the Fourteenth  
21 Amendment." *Casey*, 505 U.S. at 851.

22 Another state that has considered whether a district court can force an adult protected  
23 person into a visitation schedule over their objection answered with an emphatic "no." In *In re*  
24 *Guardianship of Rowland*, the court reversed a district court's visitation order over an adult  
25 protected person because "court-ordered visitation does not allow [the protected person] to  
26 participate in decisions affecting him, nor does it foster his independence." 348 P.3d 228, 230  
27  
28

1 (Okla. 2015). Moreover, the court noted the practical difficulties in enforcing a visitation order  
2 over an adult protected person because it is unclear who would be punished for violating the  
3 visitation order. *Id.*

4 Here, June has made clear that she wants to be in control of visitation with family  
5 members. She wants her children to reach out to her directly and coordinate times to meet. She  
6 loves her children and wants to see them, but she also wants the freedom and independence, like  
7 any other adult, to choose when she does so. Instead, this Court has continued to entertain Robyn  
8 and Donna's demands for a visitation schedule and/or "procedures" governing visitation<sup>2</sup>, and  
9 has treated the family members like they have rights in June's guardianship case analogous to a  
10 child custody case. They do not have such rights. June is the one under guardianship, and June  
11 is the one whose freedom and independence is at stake. Her expressed wishes should be the end  
12 of any supposed dispute. The Court's failure to have honored June's express wishes constitutes  
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17 <sup>2</sup> As much Donna and Robyn's counsel tried to argue that they are not requesting a visitation  
18 schedule during the February 11, 2021 hearing, their petition belies any such argument, and at  
19 its heart, it insists that June is unable to manage her own familial relationships. *See* Verified  
20 Petition for Communication, Visits and Vacation Time with Protected Person, filed Dec. 30,  
21 2020, ¶ 82, p. 25, , ("Ms. Jones is not cognitively capable of coordinating logistics of visits . . .  
22 Petitioners would like to see a mediated agreement or a Court Order that sets guidelines . . .");  
23 *Id.* at ¶ 83, p. 26, (Donna and Robyn made several scheduling requests like requiring that the  
24 guardian leave during visits in June's home, having the guardian assist June in making calls to  
25 her family one to two times a week at set times, and that Kim provide advance notice to family  
26 members regarding out-of-state visits to so that they can schedule visitation."); *see also*, Petition  
27 for Visitation with the Protected Person, filed April 23, 2021, ¶ 1, p. 2,,(Donna and Robyn's  
28 request for a scheduled visit with June for May 8, 2021 from 10:00am to 7:00pm). As much as  
Donna and Robyn try to spin their petition as not imposing anything on June, their request has  
already caused June to be pressured into participating in a settlement conference, dealing with a  
guardian ad litem, and now will result in her having to take the witness stand to be examined by  
their counsel and potentially canvassed by the district court about her wishes. Any attempt to  
take control out of June's hands in regards to how and when she visits with her family is in direct  
conflict with June's current and previously-expressed wishes and her rights as provided in the  
Protected Persons' Bill of Rights.

1 a violation of her rights under the Protected Person’s Bill of Rights on which June is likely to  
2 prevail.

3 The Nevada Legislature amended NRS Chapter 159 regarding adult guardianships in  
4 2017 to move toward a more person-centered model after well-publicized abuses in a  
5 guardianship system that gave protected persons absolutely no voice in matters that concerned  
6 all aspects of their life. These amendments were based on recommendations of the Nevada  
7 Supreme Court’s Commission to Study the Administration of Guardianships (“Commission”),  
8 which expressly stated in its Policy Statement of Support “[t]he Commission adopts a policy  
9 statement that the Commission is in favor of acknowledging the purposes and tenets behind  
10 ‘person-centered planning’...”<sup>3</sup> The Protected Person’s Bill of Rights, codified at NRS 159.328  
11 in 2017, reflects the intent of the legislature to give protected persons input into their lives to the  
12 greatest extent possible.  
13

14 Treating an adult protected person as a child and focusing on what is in her “best  
15 interests” despite the adult protected person having express wishes is not consistent with the  
16 intent of the adult guardianship statutes. There is nothing in the statutes directing the Court to  
17 focus on an adult protected person’s capabilities to execute their express wishes. If the legislature  
18 sought to consider varying degrees of capabilities, it would have incorporated some kind of  
19 defined set of criteria, but it did not. This is because an adult protected person’s express wishes  
20 promotes the greatest freedom possible regarding how each person wants to live their life. The  
21 Court erred in appointing a guardian ad litem to determine June’s “best interests” regarding  
22 visitation, when June had already asserted her rights and expressed her wishes to her court-  
23 appointed counsel.  
24  
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28 <sup>3</sup> Final Report of Nevada Supreme Court's Commission to Study the Administration of Guardianships in Nevada's  
Courts [Administrative Docket Number 5071, filed September 29, 2016, page 5.

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**IV. CONCLUSION**

For the aforementioned reasons, June respectfully requests that the Court stay the Evidentiary Hearing pending the Nevada Supreme Court's ruling on the Writ Petition thereof.

DATED this 2<sup>nd</sup> day of June, 2021.

**LEGAL AID CENTER OF  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 2<sup>nd</sup> day of June, 2021, I deposited in the United States Mail at Las Vegas, Nevada, a copy of the foregoing document entitled **MOTION TO STAY EVIDENTIARY HEARING PENDING PETITION FOR WRIT OF PROHIBITION AND PETITION FOR WRIT OF MANDAMUS** in a sealed envelope, mailed regular U.S. mail, upon which first class postage was fully prepaid, addressed to the following:

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AND I FURTHER CERTIFY that on the same date I electronically served the same document to the following via ODYSSEY, the Court's electronic filing system, pursuant to EDCR 8.05:

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**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

IN THE MATTER OF THE GUARDIANSHIP  
OF THE PERSON AND ESTATE OF:

KATHLEEN JUNE JONES

An Adult Protected Person.

Case No.: G-19-052263-A  
Dept. No.: B

**KIMBERLY JONES' PARTIAL JOINDER TO KATHLEEN JUNE JONES' MOTION  
TO STAY EVIDENTIARY HEARING PENDING PETITION FOR WRIT OF  
PROHIBITION AND PETITION FOR WRIT OF MANDAMUS**

Plaintiff, Kimberly Jones, as Guardian of the Person and Estate of Kathleen June Jones, through the law firm of Marquis Aurbach Coffing, hereby partially joins Kathleen June Jones' Motion to Stay Evidentiary Hearing Pending Petition for Writ of Prohibition and Petition for Writ of Mandamus. This Joinder hereby adopts the same facts, law, and analysis in the Motion as if fully set forth herein, unless otherwise noted.

**I. SUPPLEMENTAL POINTS IN SUPPORT OF JOINDER.**

Kimberly joins her mother's independent request to stay the forthcoming evidentiary hearing for the reasons stated in June's Motion to Stay. Kimberly stands by her mother's desires to control personal aspects of her life, including the decision to inform her qualified and independent legal counsel that she would not appear for an evidentiary hearing. June is now a victim in these proceedings. June's attorney, as well as Kimberly, have already conceded the issue of visitation. They have gone so far as proposing a visitation plan June desires. This plan



1 was only the result of June's children driving her to financial ruin over a self-declared mission to  
2 get what they want.

3 Nonetheless, as June has proposed a visitation plan, has never been declared unable to  
4 make the most basic social planning decisions, and the proposed plan is reasonable and common-  
5 sense, there is no basis for June, nor Kimberly to be forced through an evidentiary hearing.  
6 Likewise, there is no legal basis to deny June's clear request for a visitation schedule under the  
7 guise of claims of Kimberly has "restricted communication" an allegation that is entirely belied  
8 by the Protected Person herself.

9 Lastly, the issue raised in the Writ Petition is one of public policy—to what extent is the  
10 Guardianship Court or a third-party, vested with authority to ignore or call into question, the  
11 express wishes of an adult protected person. An adult protected person's express wishes should  
12 be the end of any visitation dispute, absent some overt and compelling showing the adult  
13 protected person's wishes would be a clear and unequivocal danger to themselves.

14 Dated this 2nd day of June, 2021.

15 MARQUIS AURBACH COFFING

16  
17 By /s/ James A. Beckstrom  
18 Geraldine Tomich, Esq.  
19 Nevada Bar No. 8369  
20 James A. Beckstrom, Esq.  
21 Nevada Bar No. 14032  
22 10001 Park Run Drive  
23 Las Vegas, Nevada 89145  
24 *Attorney for Jones, as Guardian of the*  
25 *Person and Estate of Kathleen June*  
26 *Jones*  
27  
28

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **KIMBERLY JONES' PARTIAL JOINDER TO KATHLEEN JUNE JONES' MOTION TO STAY EVIDENTIARY HEARING PENDING PETITION FOR WRIT OF PROHIBITION AND PETITION FOR WRIT OF MANDAMUS** was submitted electronically for filing and/or service with the Eighth Judicial District Court on the 2<sup>nd</sup> day of June, 2021. Electronic service of the foregoing document shall be made in accordance with the E-Service List as follows:<sup>1</sup>

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I further certify that I served a copy of this document by emailing and mailing a true and correct copy thereof, postage prepaid, addressed to:

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<sup>1</sup> Pursuant to EDCR 8.05(a), each party who submits an E-Filed document through the E-Filing System consents to electronic service in accordance with NRCP 5(b)(2)(D).

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An employee of Marquis Aurbach Coffing



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9 Facsimile: (702) 386-1526

10 *Attorneys for Kathleen June Jones, Adult Protected Person*

11 **EIGHTH JUDICIAL DISTRICT COURT**  
12 **FAMILY DIVISION**  
13 **CLARK COUNTY, NEVADA**

14 In the matter of the Guardianship of the Person  
15 and Estate of:

Case No.: G-19-052263-A  
Dept. No.: B

16 KATHLEEN JUNE JONES

17 Adult Protected Person.

18 **EXHIBIT TO MOTION TO STAY EVIDENTIARY HEARING PENDING PETITION**  
19 **FOR WRIT OF PROHIBITION AND PETITION FOR WRIT OF MANDAMUS**

20 COMES NOW Adult Protected Person, Kathleen June Jones ("June"), by and through  
21 her counsel, Maria L. Parra-Sandoval, Esq., of Legal Aid Center of Southern Nevada, Inc., and  
22 hereby files this Exhibit A (Petition for Writ of Prohibition and Petition for Writ of Mandamus  
23 – Supreme Court Case No. 82974) in Support of Motion to Stay Evidentiary Hearing Pending  
24 Petition for Writ of Prohibition and Petition for Writ of Mandamus.

25 ///

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DATED this 3<sup>rd</sup> day of June, 2021.

**LEGAL AID CENTER OF  
SOUTHERN NEVADA, INC.**  
  
/s/ Maria L. Parra-Sandoval  
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*Attorneys for Kathleen June Jones, Adult  
Protected Person*

1 **CERTIFICATE OF SERVICE**

2 I HEREBY CERTIFY that on the 3<sup>rd</sup> day of June, 2021, I deposited in the United States  
3  
4 Mail at Las Vegas, Nevada, a copy of the foregoing document entitled **EXHIBIT TO MOTION**  
5 **TO STAY EVIDENTIARY HEARING PENDING PETITION FOR WRIT OF**  
6 **PROHIBITION AND PETITION FOR WRIT OF MANDAMUS** in a sealed envelope,  
7 mailed regular U.S. mail, upon which first class postage was fully prepaid, addressed to the  
8 following:  
9

10  
11 Teri Butler  
12 586 N Magdalena St.  
Dewey, AZ 86327

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22 AND I FURTHER CERTIFY that on the same date I electronically served the same document  
23 to the following via ODYSSEY, the Court's electronic filing system, pursuant to EDCR 8.05:  
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*Court-Appointed Guardian Ad Litem*

/s/ Penny Walker  
Employee of Legal Aid Center of Southern Nevada, Inc.



# EXHIBIT A

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13 *Attorneys for Petitioner Kathleen June Jones*

Electronically Filed  
Jun 02 2021 02:44 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

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

15 Kathleen June Jones,

16 Petitioner,

17 vs.

18 The Eighth Judicial District Court  
19 of the State of Nevada, in and for,  
20 Clark County, and the Honorable  
21 Linda Marquis, District Judge,

22 Respondent,

23 and

24 Robyn Friedman, Donna Simmons,  
25 and Kimberly Jones,

26 Real Parties in Interest.

Case No.:

27 **Petition**

28 *From the Eighth Judicial District Court*

*The Honorable Linda Marquis, District Judge*

1     **PETITION FOR WRIT OF PROHIBITION AND PETITION FOR**  
2                     **WRIT OF MANDAMUS**

3             Kathleen June Jones, Petitioner, by and through counsel, Maria  
4     L. Parra-Sandoval, Esq. and Scott Cardenas, Esq., of Legal Aid Center  
5  
6     Of Southern Nevada, Inc., hereby submit this Petition for Writ of  
7     Prohibition and Petition for Writ of Mandamus.  
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**ROUTING STATEMENT**

Pursuant to NRAP 21(a)(3)(A), Petitioner asserts that this matter falls into the category established by NRAP 17(a)(12) because it raises as a principal issue a question of statewide public importance.

1                                    **NRAP 26.1 DISCLOSURE STATEMENT**

2            The undersigned counsel of record certifies that the following are  
3  
4 person and entities as described in NRAP 26.1(a), and must be disclosed.  
5 These representations are made in order that the judges of this Court  
6  
7 may evaluate possible disqualifications or recusals.

8            Petitioner, Kathleen June Jones, is an individual.

9  
10           Legal Aid Center of Southern Nevada, Inc., is a non-profit legal  
11 services organization that represented Petitioner in the district court,  
12  
13 and will also represent her in the present writ proceeding before this  
14 Court.

15           There are no corporations or publicly held companies involved in  
16  
17 this litigation.

18           ///

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23           ///

24           ///

1 Dated: June 2, 2021.

2 **LEGAL AID CENTER OF**  
3 **SOUTHERN NEVADA, INC.**

4 /s/ Scott Cardenas

5 Maria L. Parra-Sandoval, Esq.  
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## INTRODUCTION

This case centers on one issue: whether an adult protected person who can express their wishes can be forced into a visitation schedule or other visitation restrictions that they do not want. Here, June deserves the dignity and respect to be treated like an adult, and like any adult, she should be in control of her familial relationships and how she spends what time she has left. Unfortunately, June faces the same obstacle many adult protected persons face—having the guardianship weaponized and used as a means to infantilize the protected person. As one scholar put it, when we ignore the expressed wishes of a protected person we “run the risk of effectively memorializing the person that the [ ] adult once was and treating the person she has become as an unimportant, barely sentient being.”<sup>1</sup> June deserves better.

The Nevada Legislature recognized that protected persons should be in the driver’s seat when it comes to personal, familial decisions like the one presented here. This is why the Nevada Legislature enacted the Protected Persons’ Bill of Rights, which repeatedly emphasizes the

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<sup>1</sup> Ralph C. Brashier, *Incapacity and the Infancy Illation*, 71 ARLR 1, 21–22 (2018).

1 “freedom” and “independence” of the protected person. Rather than  
2 adhere to these principles, the district court is poised to restrict and  
3 control when and how June’s communications and visitations with family  
4 occur, despite June’s objections to those restrictions. If the Protected  
5 Persons’ Bill of Rights does not protect June from the type of conduct at  
6 issue here, then this “bill of rights” is meaningless.  
7

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10 **RELIEF SOUGHT**

- 11 1. That the Nevada Supreme Court issue a Writ of Prohibition  
12 directing the Honorable Linda Marquis to vacate the evidentiary  
13 hearing set for June 08, 2021 regarding visitation over the adult  
14 protected person, and to halt further proceedings regarding  
15 visitation so long as the protected person objects.  
16
- 17 2. That the Nevada Supreme Court issue a Writ of Mandamus  
18 directing the Honorable Linda Marquis to adhere to the  
19 Protected Persons’ Bills of Rights when an adult protected  
20 person is objecting to the court imposing a visitation schedule or  
21 any other communication and visitation restrictions.  
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- 23 3. To stay further proceedings regarding visitation until the instant  
24 Writ is addressed.  
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1 makes clear that she does not want anything that looks like a visitation  
2 schedule forced on her and that she simply wants her family to listen to  
3 her wishes and to stop treating her like she is a child who has no say in  
4 with whom or how she communicates with members of her own family.  
5

6 *See* PA 0042.  
7

8       The district court held a hearing on Robyn and Donna’s petition, on  
9 February 11, 2021. Rather than June’s objection to ***any*** visitation  
10 schedule or other restrictions ending the dispute, the district court  
11 decided to appoint a guardian ad litem for June, to which June also  
12 objected. *See* PA 0142–0148. Later, on February 26, 2021, June filed her  
13 Notice of Objection to Guardian Ad Litem’s Written Notice of Intention  
14 to Seek Attorney’s Fees and Costs from Guardianship Estate Pursuant  
15 to NRS 159.344(3). *See* PA 0149–0159. June did not think that she should  
16 have to pay for a guardian ad litem that she did not want and that was  
17 only appointed based on Robyn and Donna’s request.  
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23       It became clear that Robyn and Donna, the guardian ad litem and  
24 the district court, were going to continue to ignore June’s expressed  
25 wishes regarding visitation. Instead, they insisted in focusing on what  
26 they believed was in June’s “best interests.” June had no choice but to  
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28

1 propose her own visitation schedule so that she could maintain at least  
2 some minimal control in whatever visitation schedule or restrictions  
3 might be imposed upon her. PA 0242–0263; *see* PA 0244 (“Despite her  
4 own desired wishes and stated preferences, June feels she has been *forced*  
5 by all parties, including the court-appointed GAL, to concede on the issue  
6 of visitation.”). In essence, June’s proposal was a desperate attempt to  
7 have some semblance of control in her own life.  
8  
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11       However, even June’s proposal was not enough. The hearing on  
12 June’s petition to approve her proposed visitation schedule was set for  
13 May 13, 2021, and June assumed that the court would just accept her  
14 proposal and respect her wishes, but the day before the hearing, the  
15 district court entered a minute order (without holding a hearing)  
16 vacating the May 13, 2021 hearing, and setting an evidentiary hearing.<sup>2</sup>  
17  
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20  
21 <sup>2</sup> Also worth noting, June’s estate has already been ordered to pay  
22 substantial attorney’s fees related to the case, and will likely incur more  
23 fees litigating this issue. June is currently appealing an order awarding  
24 \$57,742.16 in attorney fees to Robyn and Donna’s counsel for work that  
25 conferred no benefit on June and resulted in Robyn and Donna being  
26 appointed as temporary guardians for a little less than a month, even  
27 though June named Kim as her agent under her Power of Attorneys. *See*  
28 *In the Matter of the Guardianship of the Person and Estate of Kathleen*  
*June Jones*, No. 81799. Now, June will likely have to face an attorney  
fees and costs request from the guardian’s attorney in the future relating  
to the work done battling Robyn and Donna’s petition. It is inequitable

1 See PA 0274–0277.

## 2 LEGAL ANALYSIS

### 3 **I. Writ Petition Standard.**

4  
5 Writ relief is an extraordinary remedy, and therefore, it is within  
6 the court’s sound discretion whether to grant such relief. *Segovia v.*  
7 *Eighth Judicial Dist. Court*, 133 Nev. 910, 911, 407 P.3d 783, 785 (2017).  
8  
9 “Extraordinary writ relief may be available where there is no ‘plain,  
10 speedy and adequate remedy in the ordinary course of law.’” *Id.* (quoting  
11 NRS 34.170 and NRS 34.330). However, even when a legal remedy is  
12 available, the court can “still entertain a petition for writ ‘relief where  
13 the circumstances reveal urgency and strong necessity.’” *Id.* (quoting  
14 *Barngrover v. Fourth Judicial Dist. Court*, 115 Nev. 104, 111, 979 P.2d  
15 216, 220 (1999)). “Whether a future appeal is sufficiently adequate and  
16 speedy necessarily turns on the underlying proceedings’ status, the types  
17 of issues raised in the writ petition, and whether a future appeal will  
18 permit this court to meaningfully review the issues presented.” *Halcrow*,  
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28 for June’s estate to incur costs related to fighting a visitation schedule  
and/or restrictions that she does not want at all.

1 *Inc. v. Eighth Judicial Dist. Court*, 129 Nev. 394, 398, 302 P.3d 1148,  
2 1151 (2013) (quotation marks omitted).

3  
4 A writ of mandamus is available to compel the performance of an  
5 act required by law as a duty resulting from an office, trust, or station or  
6 to control an arbitrary or capricious exercise of discretion. NRS 34.160;  
7  
8 *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197,  
9 179 P.3d 556, 558 (2008). On the other hand, a writ of prohibition may  
10 issue when a district court acts without or in excess of its jurisdiction.  
11 NRS 34.320; *Club Vista Fin. Servs., LLC v. Eighth Judicial Dist. Court*,  
12 128 Nev. 224, 228, 276 P.3d 246, 249 (2012).

13  
14  
15 The court must examine each request for writ relief individually.  
16  
17 *Jeep Corp. v. Second Judicial Dist. Court*, 98 Nev. 440, 443, 652 P.2d  
18 1183, 1185 (1982). The court is not confined to policing jurisdictional  
19 defects, but rather, can grant writ relief when the district court has  
20 committed “clear and indisputable legal error,” or an “arbitrary or  
21 capricious abuse of discretion.” *Archon Corporation v. Eighth Judicial*  
22 *Dist. Court*, 133 Nev. 816, 819–20, 407 P.3d 702, 706 (2017) (quotation  
23 marks omitted). The court will generally exercise its discretion to  
24 consider an extraordinary writ where an important legal issue that needs  
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clarification is raised or to promote judicial economy and administration.  
*State Office of the Attorney General v. Justice Court of Las Vegas Township*, 133 Nev. 78, 80, 392 P.3d 170, 172 (2017).

**II. This Court should grant June's request for writ relief because no adequate and speedy legal remedy exists to prevent the current violation of June's rights under the Protected Person's Bill of Rights.**

Typically, protected persons can rectify violations of their rights under the Protected Persons' Bill of Rights within the guardianship proceeding, but what is a protected person's recourse when the court itself is refusing to enforce such rights? The district court has consistently ignored June's clearly expressed wishes with regard to visitation, going so far as to appoint a guardian ad litem against June's will. The district court's failure to protect, or even acknowledge, June's wishes demonstrates that she currently is unable to enforce her rights within the guardianship proceeding, and June has no means to directly appeal the ongoing violation of her rights as provided under the Protected Persons' Bill of Rights. Moreover, June will be unable to directly appeal any order that might result from the upcoming evidentiary hearing regarding a potential visitation schedule or other restrictions over her. Writ relief has become June's only option.

1           ***A. This Court should clarify whether the Protected***  
2           ***Persons' Bill of Rights prevents the district court from***  
3           ***imposing a visitation schedule or other restrictions over***  
4           ***the adult protected person's objection.***

5           This case centers on an issue that will have a profound impact on  
6 not just June, but also the rights of protected persons across the state of  
7 Nevada, and therefore, warrants clarification from this Court. Moreover,  
8 as the Protected Persons' Bill of Rights was enacted in 2017, this is an  
9 issue of first impression. The issue being, whether a district court can  
10 even consider forcing an adult protected person into a visitation schedule  
11 or otherwise restrict their right to control visitation, when the protected  
12 person objects to any schedule or restrictions being imposed at all. In a  
13 case like June's, where the protected person can express their wishes and  
14 clearly states that they want to be in control of how and when they visit  
15 with family, this Court should hold that the Protected Persons' Bill of  
16 Rights, which emphasizes the independence and freedom of the protected  
17 person, prevents the district court from even considering whether to  
18 impose a visitation schedule or other restrictions on visitation.

19           The Protected Persons' Bill of Rights provides that, among other  
20 things, a protected person has the right to "[p]articipate in developing a  
21 plan for his or her care," "[h]ave due consideration given to his or her

1 current and previously stated personal desires,” “[r]emain as  
2 independent as possible,” and “[b]e granted the greatest degree of  
3 freedom possible.” NRS 159.328(1). Protecting such rights and fostering  
4 the overall independence of protected persons was the catalyst behind  
5 the Legislature enacting the Protected Persons’ Bill of Rights when it  
6 overhauled NRS Chapter 159 in 2017.  
7

8  
9 Also, the rights in the Protected Persons’ Bill of Rights are the kind  
10 of personal decisions that the U.S. Supreme Court has held are afforded  
11 constitutional protections. *See Planned Parenthood of Southeastern*  
12 *Pennsylvania v. Casey*, 505 U.S. 833, 851 (1992) (“Our law affords  
13 constitutional protection to personal decisions relating to . . . family  
14 relationships[.]”); *Zablocki v. Redhail*, 434 U.S. 374, 385 (1978) (“While  
15 the outer limits of the right to personal privacy have not been marked by  
16 the Court, it is clear that among the decisions that an individual may  
17 make without unjustified government interference are personal decisions  
18 relating to . . . family relationships[.]”) (quotation marks, alterations, and  
19 citation omitted). Indeed, “[t]hese matters, involving the most intimate  
20 and personal choices a person may make in a lifetime, choices central to  
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1 personal dignity and autonomy, are central to the liberty protected by the  
2 Fourteenth Amendment.” *Casey*, 505 U.S. at 851.

3  
4 Another state that has considered whether a district court can force  
5 an adult protected person into a visitation schedule over their objection  
6 answered with an emphatic “no.” In *In re Guardianship of Rowland*, the  
7 court reversed a district court’s visitation order over an adult protected  
8 person because “court-ordered visitation does not allow [the protected  
9 person] to participate in decisions affecting him, nor does it foster his  
10 independence.” 348 P.3d 228, 230 (Okla. 2015). Moreover, the court noted  
11 the practical difficulties in enforcing a visitation order over an adult  
12 protected person because it is unclear who would be punished for  
13 violating the visitation order. *Id.*

14  
15 Here, June has made clear that she wants to be in control of  
16 visitation with family members. She wants her children to reach out to  
17 her directly and coordinate times to meet. She loves her children and  
18 wants to see them, but she also wants the freedom and independence,  
19 like any other adult, to choose when she does so. Instead, the district  
20 court has continued to entertain Robyn and Donna’s demands for a  
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1 visitation schedule and/or “procedures” governing visitation<sup>3</sup>, and has  
2 treated the family members like they have rights in June’s guardianship  
3 case analogous to a child custody case. They do not have such rights. June  
4 is the one under guardianship, and June is the one whose freedom and  
5 independence is at stake. Her expressed wishes should be the end of any  
6 supposed dispute.  
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12 <sup>3</sup> As much Donna and Robyn’s counsel tried to argue that they are not  
13 requesting a visitation schedule during the February 11, 2021 hearing,  
14 their petition belies any such argument, and at its heart, it insists that  
15 June is unable to manage her own familial relationships. *See* PA 0025  
16 (“Ms. Jones is not cognitively capable of coordinating logistics of visits . .  
17 . Petitioners would like to see a mediated agreement or a Court Order  
18 that sets guidelines . . .”); PA 0026 (Donna and Robyn made several  
19 scheduling requests like requiring that the guardian leave during visits  
20 in June’s home, having the guardian assist June in making calls to her  
21 family one to two times a week at set times, and that Kim provide  
22 advance notice to family members regarding out-of-state visits so that  
23 they can schedule visitation.”); *see also* PA 0210–0236 (Donna and  
24 Robyn’s request for a scheduled visit with June for May 8, 2021 from  
25 10:00am to 7:00pm). As much as Donna and Robyn try to spin their  
26 petition as not imposing anything on June, their request has already led  
27 to June having to participate in a settlement conference, dealing with a  
28 guardian ad litem, and now will result in her having to take the witness  
stand to be examined by their counsel and potentially canvassed by the  
district court about her wishes. Any attempt to take control out of June’s  
hands in regards to how and when she visits with her family is in direct  
conflict with June’s current and previously-expressed wishes and her  
rights as provided in the Protected Persons’ Bill of Rights.

1           Moreover, one has to wonder, if the district court orders a visitation  
2 schedule or other restrictions, who will be held in contempt if the order  
3 is not followed? Will the court hold the guardian in contempt if she does  
4 not physically force June to go to a scheduled visitation, or will the court  
5 hold June in contempt for refusing to be treated like child?  
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8           It is also important to highlight the harm that this dispute has  
9 inflicted and will continue to inflict on June. Although June has  
10 maintained all along that she does not want anything that looks like a  
11 visitation schedule and wants nothing to do with this dispute, she  
12 nonetheless had to participate in a settlement conference, and be  
13 interviewed by the guardian ad litem. At the evidentiary hearing, she  
14 will likely have to take the witness stand and be subjected to cross-  
15 examination by Donna and Robyn's counsel. Presumably with their  
16 counsel's goal being to prove that she allegedly has capacity deficiencies  
17 that warrant ignoring her expressed wishes.<sup>4</sup> In essence, June will likely  
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24           <sup>4</sup> The gravity of Donna and Robyn's request that the court itself canvass  
25 June should not be lost on this Court. Apparently they and their counsel  
26 believe that June is unable to express her wishes to her court-appointed  
27 counsel, and that they can just insert themselves into and question the  
28 attorney-client relationship between June and her counsel. In an eerie  
call back to the times that led the Legislature to overhaul NRS Chapter

1 have to endure being belittled and humiliated, after already being  
2 treated like a child throughout the duration of this dispute. June has  
3 expressed time and time again the stress and trauma that the  
4 guardianship case has inflicted on her. In regards to the visitation  
5 dispute, after months of fighting, June finally capitulated and reluctantly  
6 proposed her own schedule because she was exhausted with everyone,  
7 including the guardian ad litem and the court, ignoring her wishes. Yet,  
8 June now will have to endure an evidentiary hearing regarding an issue  
9 about which the court and her family already know her wishes.  
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14 From the beginning of this dispute, June has been left screaming  
15 her wishes into the void, while the parties, the guardian ad litem, and  
16 the district court focus on what they think is in her “best interest.”  
17 Because the proceedings are supposed to be person-centered on June, it  
18 is about time everyone take a moment to just listen to her. The Protected  
19 Persons’ Bill of Rights protects June’s ability to make decisions  
20 concerning personal, familial matters like the one here, and therefore,  
21 this Court should hold that the district court cannot impose a visitation  
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27 159, they would like for June to be left to fend for herself and articulate  
28 her wishes to the court herself rather than through counsel.



1 schedule nor any other visitation restrictions when an adult protected  
2 person is objecting to any such schedule or restrictions. June simply  
3 wants to be in control of how and when she communicates and visits with  
4 her family members. She should be allowed that dignity and respect.  
5

6  
7 ***B. Granting the writ would promote judicial economy and***  
8 ***administration.***

9 The court should exercise its discretion to consider a writ petition  
10 when doing so serves judicial economy and administration. *Western Cab*  
11 *Company v. Eighth Judicial Dist. Court*, 133 Nev. 65, 67, 390 P.3d 662,  
12 667 (2017). Here, considering the instant writ would serve judicial  
13 economy and administration because judicial resources should not be  
14 wasted, as they have been already, entertaining Donna and Robyn's  
15 petition, conducting a hearing on the petition, and scheduling an  
16 evidentiary hearing on the petition, when June has consistently objected  
17 to any visitation schedule or other restrictions being forced on her at all.  
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22 Donna and Robyn filed their petition in which they request that the  
23 court impose restrictions on June's ability to control visitation with  
24 family, on December 30, 2020. Not long after, on January 25, 2021, June  
25 filed her opposition to Donna and Robyn's petition, and in that opposition,  
26 June makes clear that she does not want any visitation schedule or  
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1 restrictions imposed at all. June's wish is, and has always been, that she  
2 be in control of how and when she communicates with family members.  
3  
4 She has made clear that she would like for her family members to contact  
5 her and coordinate any visits with her directly like adults do, not force  
6 her into a visitation schedule or otherwise. Nonetheless, Donna and  
7 Robyn have continued to pursue their petition, and the district court has  
8 continued to spur their request, even going so far as appointing a  
9 guardian ad litem on the issue. After having her expressed wishes  
10 ignored by her daughters and the district court for months, June decided  
11 to propose her own visitation schedule in a last ditch effort to ensure that  
12 if visitation restrictions are imposed, she would, at the very least, have  
13 some say in it. But even that was not enough. Instead, the district court  
14 has decided to schedule an evidentiary hearing on Donna and Robyn's  
15 petition, and there is no telling what the district court might order  
16 following that hearing.

17  
18 A significant waste of judicial resources has, and will continue to  
19 occur as long as the district court continues to entertain Donna and  
20 Robyn's petition. And the parties involved will likely request that June's  
21 estate pay attorney's fees associated with litigating this issue, even  
22

1 though, this entire dispute regarding visitation should have ended the  
2 moment that June asserted her rights under the Protected Persons' Bill  
3 of Rights and made clear that she did not want a visitation schedule or  
4 other restrictions. This Court should grant the instant writ and prevent  
5 any further waste of judicial resources surrounding this issue.  
6  
7

8 ***C. No adequate or speedy legal remedy exists.***  
9

10 The Protected Persons' Bill of Rights provides that "[a]ll such rights  
11 may be addressed in a guardianship proceeding or be enforced through a  
12 private cause of action. NRS 159.328(2). June has repeatedly asked the  
13 district court to enforce her rights under the Protected Persons' Bill of  
14 Rights since her daughters filed their petition. She has outright objected  
15 to ***any*** visitation schedule or restrictions being placed on her  
16 communications with family members. Yet, June's wishes have  
17 consistently been ignored, as the district court has instead continued to  
18 focus on Donna and Robyn's demands for visitation or other restrictions  
19 on communications with their mother. The district court has  
20 continuously refused to enforce June's rights under the Protected  
21 Persons' Bill of Rights. An order establishing a visitation schedule or  
22 otherwise restricting June's right to control visitation is not listed as an  
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1 appealable order under NRS 159.375, nor NRAP 3A. Thus, June has no  
2 other remedy to protect her rights in this regard.

3  
4 There are numerous issues and orders that arise in the course of a  
5 guardianship case that are not directly appealable under NRS 159.375,  
6 nor do they fit neatly into the categories of appealable orders provided  
7 under NRAP 3A. June's case presents an example of this because she has  
8 no ability to directly appeal the district court's continuous disregard for  
9 the Protected Persons' Bill of Rights, nor will she be able to directly  
10 appeal any order setting a visitation schedule or otherwise. Accordingly,  
11 June has been left with no option to enforce her rights other than filing  
12 the instant writ. Therefore, there is no adequate and speedy legal remedy  
13 for June to prevent the ongoing violation of her rights under the  
14 Protected Persons' Bill of Rights, and if the district court orders a  
15 visitation schedule or restricts June's communications with family there  
16 will still be no grounds for appealing that order.<sup>5</sup>

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24 <sup>5</sup> Even if the district court refuses to grant June's motion to stay, which  
25 will be filed after the instant petition, and holds an evidentiary hearing,  
26 June's request for a Writ of Prohibition will still be ripe because this  
27 Court can still prohibit the district court from holding any further  
28 proceedings on the current visitation request, like any additional  
hearings on whether a visitation schedule should be set, or if one is set,  
any potential proceedings to modify the schedule. Also, June's request for

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**V. CONCLUSION**

Based on the foregoing, this Court should grant June's request for writ relief and issue a writ of prohibition and/or a writ of mandamus as described herein.

DATED this 2<sup>nd</sup> day of June, 2021.

**LEGAL AID CENTER OF  
SOUTHERN NEVADA, INC.**

/s/ Scott Cardenas

Maria L. Parra-Sandoval, Esq.  
Nevada Bar No. 13736

[mparra@lacsnsn.org](mailto:mparra@lacsnsn.org)

Scott Cardenas, Esq.  
Nevada Bar No. 14851

**LEGAL AID CENTER OF  
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Facsimile: (702) 386-1539

[scardenas@lacsnsn.org](mailto:scardenas@lacsnsn.org)

*Attorneys for Petitioner Kathleen  
June Jones*

\_\_\_\_\_  
Writ of Mandamus will likewise remain ripe because the district court has shown a consistent and continuous disregard for June's rights under the Protected Person's Bill of Rights.

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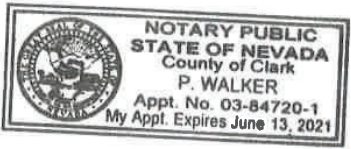
1. That I am an attorney licensed to practice law in the State of Nevada, and counsel for Kathleen June Jones;
2. That I have read the foregoing Petition for Writ of Prohibition and Petition for Writ of Mandamus, and know the contents therein and as to those matters, they are true and correct, and as to those matters based on information and belief, I am informed and believe them to be true;
3. That Kathleen June Jones has no other speedy remedy at law available, and that the only means to address this issue is through the instant writ.
4. That counsel signs this verification on behalf of Kathleen June Jones, and under her direction.

  
Scott Cardenas

# Scott Cardenas

SUBSCRIBED AND SWORN to  
before me this 1 day of June 2021.

NOTARY PUBLIC



1                                    **CERTIFICATE OF COMPLIANCE**

2            I hereby certify that this petition complies with the formatting  
3  
4 requirements of NRAP 32(a)(4), the typeface requirement of NRAP  
5 32(a)(5), and the type style requirements of NRAP 32(a)(6) because it is  
6  
7 prepared in proportionally spaced typeface using Microsoft word in  
8 normal Century Schoolbook 14 point font.  
9

10           I further certify that this petition complies with the page or type  
11 volume limitations of NRAP 21(d) because it is proportionately spaced,  
12  
13 has a typeface of 14 points or more, does not contain more than 650 lines  
14 of text in monospaced typeface, and contains 5,119 words.  
15

16           Finally, I hereby certify that I have read this petition, and to the  
17 best of my knowledge, information, and belief, it is not frivolous or  
18  
19 interposed for any improper purpose. I further certify that this petition  
20 complies with all applicable Nevada Rules of Appellate Procedure, in  
21 particular NRAP 28(e)(1), which requires every assertion in the petition  
22  
23 regarding matters in the record to be supported by a reference to the page  
24 and volume number, if any of the transcript or appendix where the  
25  
26 matter relied on is to be found. I understand that I may be subject to  
27  
28



1 sanctions in the event that the accompanying petition is not in conformity  
2 with the requirements of Nevada Rules of Appellate Procedure.

3  
4 Dated: June 2, 2021

5 **LEGAL AID CENTER OF**  
6 **SOUTHERN NEVADA, INC.**

7 /s/ Scott Cardenas

8 Maria L. Parra-Sandoval, Esq.

9 Nevada Bar No. 13736

10 [mparra@lacsnsn.org](mailto:mparra@lacsnsn.org)

11 Scott Cardenas, Esq.

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20 *Attorneys for Petitioner Kathleen*

21 *June Jones*

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 2<sup>nd</sup> day of June, 2021, I deposited in the United States Mail at Las Vegas, Nevada, a copy of the foregoing document entitled **PETITION FOR WRIT OF PROHIBITION AND PETITION FOR WRIT OF MANDAMUS** in a sealed envelope, mailed regular U.S. mail, upon which first class postage was fully prepaid, addressed to the following:

John P. Michaelson, Esq. Michaelson & Associates, Ltd. 2200 Paseo Verde Pkwy., #160 Henderson, NV 89052 <i>Attorneys for Robyn Friedman and Donna Simmons</i>	The Honourable Judge Marquis Dept. B 200 Lewis Avenue Las Vegas, NV 89101
---	--

James Beckstrom, Esq. Geraldine Tomich, Esq. Marquis Aurbach Coffing 10001 Park Run Drive Las Vegas, NV 89145 <i>Attorneys for Kimberly Jones</i>	Jeffrey R. Sylvester, Esq. Sylvester & Polednak, Ltd. 1731 Village Center Circle Las Vegas, NV 89134 <i>Attorneys for Robyn Friedman and Donna Simmons</i>
--	--

AND I FURTHER CERTIFY that on the same date I electronically served the same document to the following the Court's electronic filing system, pursuant to NEFCR 9: None

/s/Penny Walker  
Employee of Legal Aid Center of Southern Nevada



**SOLA**

Maria L. Parra-Sandoval, Esq.  
Nevada Bar No. 13736

**LEGAL AID CENTER OF  
SOUTHERN NEVADA, INC.**

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*Attorney for Kathleen J. Jones, Protected Person*

**EIGHTH JUDICIAL DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA**

In the Matter of Guardianship of the Person and  
Estate of:

KATHLEEN J. JONES,

An Adult Protected Person.

**Case No.: G-19-052263-A**

**Dept. No.: B**

**STATEMENT OF LEGAL AID  
REPRESENTATION AND FEE  
WAIVER**

Party Filing Statement: ☐ Plaintiff/ Petitioner ☒ Defendant/ Respondent

**STATEMENT**

Kathleen J. Jones, has qualified and been accepted for placement as Pro Bono clients or as direct client of LEGAL AID CENTER OF SOUTHERN NEVADA, INC., a nonprofit organization providing free legal assistance to indigents, and is entitled to pursue or defend this action without costs, including filing fees and fees for service of writ, process, pleading or paper without charge, as set forth in NRS 12.015.

Dated: September 27, 2019

Maria L. Parra-Sandoval, ESQ.

Printed Name of Legal Aid Center of S.N., Preparer  
Nevada Bar No.: 13736

/s/ Maria L. Parra-Sandoval Esq.

Signature of Legal Aid Center of S.N. Preparer

**Submitted by:**

**LEGAL AID CENTER OF  
SOUTHERN NEVADA, INC.  
725 East Charleston Blvd.  
Las Vegas, Nevada 89101  
Phone: (702) 386-1070**



1 **EXPP**

2 Maria L. Parra-Sandoval, Esq.  
3 Nevada Bar No. 13736

4 **LEGAL AID CENTER OF**  
5 **SOUTHERN NEVADA, INC.**

6 725 E. Charleston Blvd.

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11 *Attorney for Kathleen June Jones,*  
12 *Adult Protected Person*

13  
14 **EIGHTH JUDICIAL DISTRICT COURT**  
15 **FAMILY DIVISION**  
16 **CLARK COUNTY, NEVADA**

17 In the Matter of Guardianship of the Estate of:

18 **Case No. G-19-052263-A**

19 **Dept. No. B**

20 **KATHLEEN JUNE JONES,**  
21 **Adult Protected Person.**

22  
23 **EX PARTE MOTION FOR AN ORDER SHORTENING TIME FOR HEARING ON**  
24 **MOTION TO STAY EVIDENTIARY HEARING PENDING PETITION FOR WRIT**  
25 **OF PROHIBITION AND PETITION FOR WRIT OF MANDAMUS**

26 Kathleen June Jones ("June"), the protected person herein, by and through her counsel,  
27 Maria L. Parra-Sandoval, Esq., hereby files this Ex Parte Motion for an Order Shortening Time  
28 pursuant to EDCR 5.513 and request that this Court shorten the time in which to hear the  
attached Petition before June 8, 2021. This application is based upon the pleadings and papers  
on file and the Affidavit of June's attorney attached to this motion.

DATED this 3<sup>rd</sup> day of June, 2021.

**LEGAL AID CENTER OF**  
**SOUTHERN NEVADA, INC.**

/s/ Maria L. Parra-Sandoval

Maria L. Parra-Sandoval, Esq.

Nevada Bar No. 13736

*Attorney for Kathleen June Jones*

1 **AFFIDAVIT OF MARIA L. PARRA-SANDOVAL, ESQ. IN SUPPORT OF EX PARTE**  
2 **MOTION FOR AN ORDER SHORTENING TIME**

3 Maria L. Parra-Sandoval, Esq. declares as follows:

- 4 1. I am an attorney with Legal Aid Center of Southern Nevada, and court-appointed  
5 attorney for Kathleen June Jones, an Adult Protected Person.
- 6 2. I am duly licensed to practice law in the State of Nevada and have personal knowledge  
7 of and I am competent to testify concerning the facts herein.
- 8 3. That the Protected Person filed a Motion to Stay Evidentiary Hearing Pending Petition  
9 for Writ of Prohibition and Petition for Writ of Mandamus (“Motion to Stay”) on June  
10 2, 2021.
- 11 4. That the Master Calendar Clerk set the hearing date on the subject Motion to Stay for  
12 July 8, 2021 at 9:30 a.m..
- 13 5. This Court set an Evidentiary Hearing for **June 8, 2021 at 9:00 a.m.** regarding the  
14 Verified Petition for Communication, Visits, and Vacation Time with Protected Person  
15 (“Verified Petition”); Kimberly Jones Opposition to Verified Petition et al; Kathleen  
16 June Jones’ Opposition to Verified Petition et al; Petitioners’ Omnibus Reply; Robyn  
17 and Donna’s Petition for Visitation with the Protected Person relative to Mother’s Day  
18 Visitation; Guardian’s Limited Response to Petition for Visitation with the Protected  
19 Person; and Petition to Approve Kathleen June Jones’ Proposed Visitation Schedule.
- 20 6. The protected person seeks to have the Motion to Stay heard on an expedited hearing on  
21 a date before the June 8, 2021 Evidentiary Hearing.
- 22 7. An expedited hearing is necessary in order to allow the Nevada Supreme Court to reach  
23 a decision in the pending Writ Petition, filed on June 2, 2021.
- 24 8. If the Motion to Stay is denied, the object of the Writ Petition will be *defeated*.

1 9. That this Ex Parte Motion for an Order Shortening Time is made in good faith.  
2

3 Pursuant to NRS 53.045, I declare under penalty of perjury under the laws of the State  
4 of Nevada that the foregoing is true and correct.  
5

6  
7 Dated this 3<sup>rd</sup> day of June, 2021.  
8

9  
10 **LEGAL AID CENTER OF  
SOUTHERN NEVADA, INC.**

11 /s/ Maria L. Parra-Sandoval, Esq.  
12 Maria L. Parra-Sandoval, Esq.  
13 Nevada Bar No. 13736  
14 *Attorney for Kathleen June Jones,*  
15 *Adult Protected Person*  
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1 **Marquis Aurbach Coffing**  
2 Geraldine Tomich, Esq.  
3 Nevada Bar No. 8369  
4 James A. Beckstrom, Esq.  
5 Nevada Bar No. 14032  
6 10001 Park Run Drive  
7 Las Vegas, Nevada 89145  
8 Telephone: (702) 382-0711  
9 Facsimile: (702) 382-5816  
10 gtomich@maclaw.com  
11 jbeckstrom@maclaw.com  
12 *Attorneys for Kimberly Jones,*  
13 *Guardian of Kathleen June Jones*

8  
9 **DISTRICT COURT**  
10 **CLARK COUNTY, NEVADA**

11 IN THE MATTER OF THE GUARDIANSHIP  
12 OF THE PERSON AND ESTATE OF:

13 KATHLEEN JUNE JONES

14 An Adult Protected Person.

Case No.: G-19-052263-A  
Dept. No.: B

**[Hearing Requested]**

15 **AMENDED FIRST ACCOUNTING**

16 COMES NOW, Guardian Kimberly Jones, by and through the law firm of Marquis  
17 Aurbach Coffing, hereby submits the following Amended First Accounting for the Protected  
18 Person, Kathleen June Jones.



Account Summary  
for October 15, 2019 through October 15, 2020

**Assets as of October 14, 2019**

Initial Cash in Banks (Schedule A)	\$98.00
Real Property (Schedule B)	\$464,247.89
Personal property (Schedule C)	\$21,000
TOTAL ASSETS	<u>\$ 495,047.89</u>

**Additions**

Income Received (Schedule D)	\$88,011.00
TOTAL ADDITIONS	<u>\$88,011.00</u>

**Deductions**

Expenses paid (Schedule E)	\$50,107.63
TOTAL DEDUCTIONS	<u>\$50,107.63</u>

Bank accounts balance	\$40,718.05
Total estate value	\$526,063.94

## Schedule A: Cash in Banks

Description	Amount
Bank of America x7492 (as of 9/17/19)	\$98.00
Bank of America x 8243 (as of 9/17/19)	\$0.00
Total Initial Cash in Banks	\$98.00

Description	Amount
Bank of America x 7492 (as of 10/16/20)	\$38,217.20
Bank of America x 8243 (as of 10/14/20)	\$2,500.85
Total Ending Cash in Banks	\$40,718.05

[Intentionally Left Blank]

## Schedule B: Real Property

Description	Value
Orange County APN 234-056-10 1054 S. Verde Street, Anaheim CA 92805	Gross estimated \$625,000 <sup>1</sup>
Outstanding mortgage	\$160,752.11
Net Value of Real Property	\$464,247.89

[Intentionally Left Blank]

<sup>1</sup> See [https://www.zillow.com/homes/1054-S.-Verde-Street,-Anaheim-CA-92805\\_rb/25323527\\_zpid/](https://www.zillow.com/homes/1054-S.-Verde-Street,-Anaheim-CA-92805_rb/25323527_zpid/).

## Schedule C: Personal Property (including vehicles)

Description	Estimated Value
Jewelry	\$3,500
Household furniture	\$8,000
Clothing and personal effects	\$2,500
Total Personal Property Estimated Value	\$21,000

[Intentionally Left Blank]

**MARQUIS AURBACH COFFING**

10001 Park Run Drive  
Las Vegas, Nevada 89145  
(702) 382-0711 FAX: (702) 382-5816

**Schedule D: Income Received**

Item	Amount
Social Security (3 months x \$1,519.00) (9 months x \$1,536.00)	\$18,381.00
Cash out from refinance (for remodel)	\$57,430
Rental property security deposit	\$2,500
Rental property monthly payment from tenant (5 months x \$1,200) (1 month x \$2,500)	\$8,500
COVID-19 stimulus payment	\$1,200
<b>Total Income Received</b>	<b>\$88,011.00</b>

**[Intentionally Left Blank]**

## Schedule E: Expenses Paid

Description	Amount
Automobile / transportation	\$932.89
Bank charges	\$115.00
Charity	\$260.00
Clothing / beauty	\$782.98
Credit card (inc. interest)	\$1,018.62
Entertainment	\$742.19
Food (groceries and dining out)	\$2,240.96
House / yard	\$2,564.58
Insurance	\$2,534.69
Mail / office	\$136.15
Medical	\$2,585.52
Miscellaneous personal expenses	\$943.23
Mortgage	\$11,821.80
Rental remodel	\$18,295.51
Travel	\$600.77
Utilities	\$4,532.74
Total Expenses Paid	\$50,107.63

[Intentionally Left Blank]

**MARQUIS AURBACH COFFING**

10001 Park Run Drive  
Las Vegas, Nevada 89145  
(702) 382-0711 FAX: (702) 382-5816

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DATED this 3rd day of June, 2021.

MARQUIS AURBACH COFFING

By /s./ James A. Beckstrom  
Geraldine Tomich, Esq.  
Nevada Bar No. 8369  
James A. Beckstrom, Esq.  
Nevada Bar No. 14032  
10001 Park Run Drive  
Las Vegas, Nevada 89145  
*Attorney(s) for Kimberly Jones,  
Guardian of Kathleen June Jones*



**OATH OF GENERAL GUARDIAN**

STATE OF NEVADA       )  
                                  ) ss:  
COUNTY OF CLARK     )

I, Kimberly Jones, the petitioner in the instant matter and General Guardian for the Person and Estate of the above-named Proposed Protected Person, solemnly affirm that the foregoing inventory is a true statement of accounting for the period of October 15, 2019 through October 15, 2020.

Pursuant to NRS 53.045 I declare under penalty of perjury that the foregoing is true and correct.

DATED this 3rd day of June, 2021.

/s./ Kimberly Jones  
KIMBERLY JONES

**GUARDIAN'S EXPLANATION OF EXPENSES**

**KIMBERLY JONES**, deposes and says under penalty of perjury:

1. I am the General Guardian for the Person and Estate of Kathleen "June" Jones, a Protected Person.

2. With the assistance of counsel and an accountant, I prepared an accounting for the period of October 15, 2019 through October 15, 2020 (the "Accounting Period").

3. During the Accounting Period, the Protected Person's Estate incurred significant expenditures relating to restoration and clean-up of her rental property in Anaheim California.

4. The Protected Person's son Scott Simmons lived in the house until March 2020.

5. The Protected Person's son left the house in a deplorable condition, which was provided to this Court in the form of photographs.

6. In addition to safety concerns, the house required extended repairs to avoid to return the property to a habitable state.

7. I refinanced the house with a \$50,000 cash-out so the repairs could be made without impacting the Protected Person's needs. This was approved by the Court.

8. On behalf of the Protected Person, I paid \$18,295.51 for labor and materials related to the repairs. These repairs including painting, stripping and re-doing the ceiling, removing and installing floors, and clean-up in and around the property. I am searching for the invoices and receipts for these items. This has been difficult during the same period I have been preparing for a move. I originally had these in a plastic bag prior to the move, but at this point I cannot locate the bag.

9. The amount paid to rehab this property is extremely low based on the deplorable condition of the property, I can provide the Court with revised "after" photos to further substantiate this work. Moreover, the Court has previously seen the licensed home inspection on this property, which detailed the extent of the repairs.

10. To set aside any doubt, I have never made any profit or paid any profit for repairs and every penny of the money used on the rehab went directly into the necessary repairs.

1           11.     For small items related to the repairs, I paid directly for purchases from retail  
2 stores like Lowes.

3           12.     In addition to the costs related to the rental property, I paid for the Protected  
4 Person's utilities, meals, prescriptions, and general home expenses.

5           13.     Each month, the Protected Person's mortgage was \$869.87.

6           14.     The monthly cost of insurance through State Farm is typically around \$276.57.

7           15.     The Protected Person takes seven prescription medications and two over-the-  
8 counter supplements. I typically purchased the prescriptions and supplements at Walmart.  
9 During shopping trips that included medications and/or supplements, the total regularly exceeded  
10 \$250.

11          16.     The Protected Person and I shopped for groceries and household items a few  
12 times a month during the Accounting Period.

13          17.     During some trips to Costco or Walmart, the bill occasionally exceeded \$250 if  
14 we stocked up on regularly used items.

15          18.     The Protected Person's monthly historic food budget (around \$186 a month) is  
16 relatively high because she enjoys a variety of meals and the experience of going out to eat.

17          19.     During the Accounting Period, the Protected Person routinely traveled to  
18 California and Arizona to see family. During such trips, the Protected Person paid for modest  
19 vehicle-related expenses, hotel accommodations, and meals.

20          20.     On occasion, the Protected Person shopped at thrift stores, bookstores, and  
21 retailers like Target or Dollar Tree. During the Accounting Period, the Protected Person also got  
22 regular haircuts and styling, typically at SuperCuts.

23          21.     I understand this explanation is late to be filed. However, with two litigation cases  
24 moving forward, serving as the full-time caregiver and guardian for my mother, ensuring my  
25 mother has continuing and established medical care, and dealing with a move out-of-state, I have  
26 been extremely busy.

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Pursuant to NRS 53.045, I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

Dated this 3rd day of June, 2021.

/s./Kimberly Jones  
KIMBERLY JONES



**OPP**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

IN THE MATTER OF THE GUARDIANSHIP )  
OF THE PERSON AND ESTATE OF: )  
Kathleen June Jones, )  
An Adult Protected Person. )

Case Number: G-19-052263-A  
Department: B

**ROBYN FRIEDMAN AND DONNA SIMMONS' OMNIBUS OPPOSITION TO MOTION  
TO STAY EVIDENTIARY HEARING PENDING PETITION FOR WRIT OF  
PROHIBITION AND PETITION FOR WRIT OF MANDAMUS; AND KIMBERLY  
JONES' PARTIAL JOINDER TO KATHLEEN JUNE JONES' MOTION TO STAY  
EVIDENTIARY HEARING PENDING PETITION FOR WRIT OF PROHIBITION AND  
PETITION FOR WRIT MANDAMUS**

<input checked="" type="checkbox"/> NOTICES / SAFEGUARDS	<input checked="" type="checkbox"/> GENERAL GUARDIANSHIP
<input checked="" type="checkbox"/> Blocked Account	<input type="checkbox"/> Person
<input type="checkbox"/> Bond Posted	<input type="checkbox"/> Estate <input type="checkbox"/> Summary Admin.
<input type="checkbox"/> Public Guardian Bond	<input checked="" type="checkbox"/> Person and Estate

Robyn Friedman and Donna Simmons (hereinafter "Robyn" and "Donna"), interested persons and former temporary guardians, by and through the law firm, Michaelson & Associates, Ltd., respectfully submit to this Honorable Court this Omnibus Opposition to

1 Motion to Stay Evidentiary Hearing Pending Petition for Writ of Prohibition and Petition for  
2 Writ of Mandamus filed by counsel for the protected person on June 2, 2021 (“Motion to  
3 Stay”), and Kimberly Jones’ Partial Joinder to Kathleen June Jones’ Motion to Stay Evidentiary  
4 Hearing Pending Petition for Writ of Prohibition and Petition for Writ Mandamus filed by  
5 Kimberly Jones on June 2, 2021 (“Joinder”); and represent the following to this Honorable  
6 Court:

7 **Correction of Guardian’s Misguided Points,**  
8 **and Appointed Counsel’s Misguided Background**

9 1. This Court should deny the stay of its proceedings that is requested in the Motion to Stay  
10 and the Joinder as the background and points set forth by Kimberly Jones (“Guardian”) and  
11 court-appointed counsel for Ms. Jones (“Appointed Counsel”) are inaccurate, incorrect,  
12 misleading and misguided.

13 2. Guardian’s statement on page 1 of the Joinder is correct that Ms. Jones is a victim in  
14 these proceedings. However, Guardian’s inference is incorrect that this Court, Robyn or Donna  
15 is victimizing Ms. Jones. It is Guardian that is victimizing Ms. Jones by disallowing Ms. Jones  
16 the communication, visits and contact that Ms. Jones wants and needs to have with all her  
17 family members. Of course, this is a central determination of fact that must be decided by this  
18 District Court, not an Appellate Court, or even the Nevada Supreme Court. Guardian’s Joinder  
19 is a veiled attempt to undermine this Court’s authority to hold a proper evidentiary hearing.  
20

21 3. On page 2 of the Joinder, Guardian’s statement is misleading that Ms. Jones has never  
22 been declared unable to make the most basic planning decisions. That factual determination is a  
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1 central purpose of the scheduled evidentiary hearing, but Guardian is now joining in Appointed  
2 Counsel's misguided attempt to prevent this Court from hearing evidence on this very issue.

3 4. On page 2 of the Joinder, Guardian's statement is incorrect and misleading that the  
4 proposed visitation schedule that Guardian and Appointed Counsel purport to represent Ms.  
5 Jones wishes is reasonable and commonsense and there is no legal basis to deny it. Said  
6 proposed schedule is restrictive and isolating for Ms. Jones, and not in her best interest. It  
7 should not be accepted by this Court after this Court properly hears evidence at the scheduled  
8 evidentiary hearing that Guardian and Appointed Counsel are trying to undermine.

9 5. Guardian's statement on page 2 of the Joinder is incorrect that Robyn's and Donna's  
10 allegation of "restricted communication" is belied by Ms. Jones herself. To date, Ms. Jones has  
11 made representations to Robyn, Donna, her Guardian Ad Litem, and other family members that  
12 contradict Appointed Counsel's proposed schedule. Of course, this is a determination of fact  
13 that Guardian and Appointed Counsel are attempting to prevent with their recent filings in this  
14 Court and the Appellate Court.

15 6. Guardian's statements on page 2 of the Joinder are false and misleading. This Court is  
16 not ignoring the express wishes of Ms. Jones. This Court has appointed an investigator and a  
17 guardian ad litem and set an evidentiary hearing to clarify Ms. Jones' express wishes. It is  
18 Guardian and Appointed Counsel that are attempting to hide the fact that their representations  
19 regarding Ms. Jones' capabilities and capacity are false. Furthermore, to state an adult protected  
20 person's express wishes should be the end of any visitation dispute is extremely dangerous  
21 given that protected persons are of at least "limited capacity" if not fully "incapacitated,"  
22 meaning they may not be able to make informed decisions for themselves, at least in regard to  
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1 some matters, and guardians are therefore appointed to act in their best interest. It appears  
2 Guardian and Appointed Counsel misunderstand the purpose for guardianship proceedings.

3 7. Appointed Counsel's statement on page 3 of the Motion to Stay is incorrect that this  
4 Court has continually ignored June's rights under the Protected Person's Bill of Rights. This  
5 Court has not violated anyone's rights. This Court has respected all parties' rights to due  
6 process and has properly set an evidentiary hearing to determine issues of fact regarding  
7 visitation and communication (including the protected person's opinions) so it can enter an  
8 informed decision in these proceedings. In doing so, this Court is fulfilling its jurisdictional and  
9 allotted role as a factfinder and decision-maker.

10 8. Ms. Jones has represented to family members other than her daughter and guardian,  
11 Kimberly Jones ("Kim") that she wants contact and visits with family members. Ms. Jones has  
12 represented to her Guardian Ad Litem that she wants contact and visits with family members.  
13 Kim has acted in some situations and not acted in others in a coordinated passive aggressive  
14 way to systematically deny Robyn, Donna and other member of Ms. Jones' family proper  
15 communication and visits with Ms. Jones. The simple fact that court-appointed counsel has  
16 stated Ms. Jones does not want a visitation schedule does not mean this Court cannot hold an  
17 evidentiary hearing as Appointed Counsel purports and is attempting to enforce through an  
18 appeal. Honestly, Appointed Counsel's/Legal Aid of Southern Nevada's and Guardian's  
19 arguments are outlandish. They imagine themselves above the Court. According to them, if  
20 they say no visits, no communication, no testimony, no schedule (though they propose a  
21 schedule as a solution despite being challenged repeatedly to fashion a solution without a  
22 schedule), or that June does or does not want this or that, or is capable or not capable of doing  
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1 this or that – then the Court and everyone else should simply bow down in humble reverential  
2 appreciation for their conclusions. In other words, Legal Aid’s Appointed Counsel is  
3 attempting to enforce a fantasy world where her word is law. No appeal. No inquiry. No  
4 evidentiary hearing. No one else may question or speak with the protected person because  
5 Legal Aid has spoken, and its motives or bases may not be reviewed, much less challenged.

6 9. There is a dispute that needs to be properly resolved pursuant to statute, and this Court  
7 has provided due process to all involved by reading and understanding their respective  
8 pleadings and allegations, and by setting an evidentiary hearing to hear testimony and properly  
9 enter evidence in order to make a proper, informed decision.

10 10. Appointed Counsel’s statement on page 3 of the Motion to Stay is incorrect and  
11 misleading that this Court has disregarded Ms. Jones’ express wishes by entertaining a proper  
12 request for visitation and appointing a guardian ad litem to determine what is in June’s best  
13 interest. What this Court has before it up until this point are allegations. Appointed Counsel’s  
14 statements and pleadings are allegations, not evidence, and Appointed Counsel’s/Legal Aid’s  
15 views certainly and thankfully are not binding upon the Court, nor thankfully is the Appointed  
16 Counsel or Legal Aid authorized to direct whether this Court can hold an evidentiary hearing.

17 11. What this Court needs now – and is trying to obtain – is testimony taken under oath,  
18 exhibits properly admitted under the rules of evidence, and proper consideration of the  
19 perspectives provided by neutral officers appointed by the Court; namely, the guardian-ad-litem  
20 and guardianship compliance office investigator. It is precisely this Court’s duty to obtain such  
21 testimony, exhibits and perspectives in an evidentiary hearing to decide the controversy that has  
22 been properly brought before the Court.  
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1 12. Appointed Counsel's statement on page 3 of the Motion for Stay is incorrect and  
2 misleading that this Court issued a Minute Order on May 12, 2021 ("Minute Order") instead of  
3 addressing and approving the visitation schedule that Appointed Counsel alleged Ms. Jones  
4 wants in place. In reality, this Court's Minute Order set a time to properly address the proposed  
5 visitation schedule along with all the other pleadings addressing the same issues of  
6 communication, visits and vacations with Ms. Jones—the Court is providing the correct forum  
7 (the evidentiary hearing) to ensure due process of law, as it should.

8 13. It is the District Court's prerogative to determine who the Court canvasses and who  
9 testifies before it. It is completely improper for Appointed Counsel to try to undermine this  
10 Court's authority to do so. It is not for an Appellate Court or even the Nevada Supreme Court to  
11 decide who a District Court allows to testify, or who the District Court canvasses based upon  
12 nothing more than Appointed Counsel's verbal and written representations. Appointed  
13 Counsel/Legal Aid's arguments are truly frightening. Appointed Counsel envisions a world  
14 where the Legal Aid's statements about what a client can or cannot, or what they want or do not  
15 want, is the final say. There is no appeal. The legal aid attorney's word would be sacrosanct;  
16 unassailable and absolute.  
17

18 14. Fortunately, we do not live in such a Orwellian world. Thankfully, we enjoy a thing  
19 called due process and it is the proper role of the District Court to decide, among many other  
20 things, whether it will canvass Ms. Jones, just as it has canvassed other protected persons in  
21 many, many other guardianship cases. Appointed Counsel's unproven, untried self-serving  
22 verbal and written representations do not change this.  
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1 15. It is the proper role of the District Court to decide whether Ms. Jones will testify at the  
2 properly set evidentiary hearing. Appointed Counsel's unproven, untried verbal and written  
3 representations do not change this. Appointed Counsel's attempt to undermine the District  
4 Court's role as a trier of fact is misplaced, unprofessional and inappropriate.

5 16. This Court has vast experience in compassionately and carefully canvassing proposed  
6 protected persons and protected persons. Appointed Counsel's statements that this Court's  
7 proper oversight would irreparably harm Ms. Jones is reprehensible and unfounded.

8 17. The parties in this case, including Ms. Jones need this Court to apply its expertise to  
9 resolve the issues properly brought before it. It is this Court's role to listen to both sides of a  
10 controversy, weigh credibility, weigh the evidence and make a decision. Appointed Counsel and  
11 Guardian are misguided in attempting to undermine this Court in its proper execution of its  
12 duties by holding an evidentiary hearing.

#### 13 **Rebuttal of Appointed Counsel's Legal Arguments**

14 18. Appointed Counsel is correct that a Motion for Stay should be filed in District Court  
15 before being filed in the Appellate of Supreme Court. However, Appointed Counsel's entire  
16 appeal is misguided and misplaced.

17 19. Nevada Rule of Appellate Procedure ("NRAP") 8(a)(1)(A) reads as follows:

#### 18 **Rule 8. Stay or Injunction Pending Appeal or Resolution of Original Writ** 19 **Proceedings**

##### 20 **(a) Motion for Stay.**

21 **(1) Initial Motion in the District Court.** A party must ordinarily move first in the  
22 district court for the following relief:  
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1 (A) a stay of the judgment or order of, or proceedings in, a district court pending  
2 appeal or resolution of a petition to the Supreme Court or Court of Appeals for an  
extraordinary writ;

3 20. Under NRCP 8(a)(1)(A), Appointed Counsel filed her Motion for Stay. Unfortunately, it  
4 is misguided for two reasons:

5 21. First, there is no judgment or order to be stayed. As Appointed Counsel and Guardian  
6 well know, this Court has not yet held the needed evidentiary hearing to take testimony and hear  
7 evidence to enter a judgment or order.

8 22. Second, this Court's approach to these guardianship proceedings has been circumspect  
9 and proper in every regard. These proceeding do not need to be stayed. This Court has read the  
10 pleadings, understood the arguments, provided proper due process to all involved and  
11 appropriately set an evidentiary hearing. To grant a stay only days before the scheduled  
12 evidentiary hearing will only further delay needed correction for the Guardian to allow proper  
13 communication, visits and vacation of family member with Ms. Jones.

14 23. Appointed Counsel's analysis and arguments to this Court under NRAP 8(c) are  
15 misplaced:  
16

17 24. NRAP 8(c) reads as follows:

18 **Rule 8. Stay or Injunction Pending Appeal or Resolution of Original Writ**  
19 **Proceedings**

20 **(c) Stays in Civil Cases Not Involving Child Custody.** In deciding whether to issue a  
21 stay or injunction, the Supreme Court or Court of Appeals will generally consider the following  
22 factors:

23 (1) whether the object of the appeal or writ petition will be defeated if the stay or  
24 injunction is denied;

25 (2) whether appellant/petitioner will suffer irreparable or serious injury if the stay or  
injunction is denied;

1 (3) whether respondent/real party in interest will suffer irreparable or serious injury if  
the stay or injunction is granted; and

2 (4) whether appellant/petitioner is likely to prevail on the merits in the appeal or writ  
petition.

3 25. This rule states “the Supreme Court or Court of Appeals” will consider the four factors  
4 listed when deciding whether to issue a stay or injunction. This Court is the District Court, not the  
5 Supreme Court or Court of Appeals. NRAP 8(c) does not apply to the District Court’s  
6 consideration of the Motion to Stay its own proceedings.

7  
8 26. Essentially, legal aid is arguing that June would be harmed by the Court or someone else  
9 questioning her capacity. However, the Guardian’s and Appointed Counsel’s actions have torn  
10 this family apart. The Guardian denies access to Ms. Jones as punishment against those with whom  
11 she disagrees, or she allows access to reward those who support her. The Guardian and Appointed  
12 Counsel like to pretend that one can have robust communication and visitation with Ms. Jones by  
13 simply calling her. Everyone seems to agree that Ms. Jones wants to see her family. So the issue  
14 that Guardian and Appointed Counsel have forced everyone to litigate for months and now years,  
15 is whether June has the capacity to plan and carry out visitation and communication with her family  
16 by herself even when it is common knowledge that such visitation and communication is healthy  
17 and good for most people. Everyone knows that Ms. Jones cannot plan and carry out such  
18 visitation, but we are being forced to hold an expensive evidentiary hearing, and now, on the eve  
19 of the hearing, Appointed Counsel and Guardian are taking the position that this Court will allow  
20 Ms. Jones to be harmed by simply answering some questions or being canvassed in an ill-executed  
21 attempt to cover Guardian’s and Appointed Counsel’s fraud that Ms. Jones has such capacity—  
22 Ms. Jones cannot engage by herself in this type of planning and decision making. She is a protected  
23

1 person, she needs help! Guardian and Appointed Counsel are causing this protracted litigation.  
2 All they have to do is what thousands of families in Clark County do every day – and what the  
3 Guardian does with all of Mr. Jones’ other commitments (medical, legal, housekeeping,  
4 landscaping appointments, etc.), which is to simply and kindly facilitate these appointments for  
5 and in behalf of Ms. Jones.

6 27. NRAP 8(c) speaks of irreparable harm. Even if this rule applied to the District Court, the  
7 opposite of Appointed Counsel’s and Guardian’s assertions is true. Ms. Jones will be irreparably  
8 harmed by not participating in the evidentiary hearing and continuing to be isolated (a form of  
9 elder abuse under Nevada law) by the Guardian and legal aid. They are forcing the need for this  
10 hearing by inappropriately creating an issue of fact as to whether Ms. Jones can do all these things  
11 herself. Ms. Jones will be irreparably harmed by not holding this evidentiary hearing.

12 28. The NRAP 8(c) factors are generally considered factors, not mandatory requirements that  
13 must be met or not met. Based on the foregoing, and all the pleadings, the failed settlement  
14 conference, and all the testimony, staying the evidentiary hearing, or cancelling it, as Appointed  
15 Counsel fantasizes is appropriate, would be staggeringly contrary to Ms. Jones’ best interest  
16 because it would enable Appointed Counsel and Guardian to continue to use her for their own  
17 purposes. Ms. Jones will not live forever. Her communication and visitation with her family as  
18 will be shown at the evidentiary hearing has absolutely plummeted. The stress and strain on her  
19 family is enormous and she would never want that. Staying the evidentiary hearing will hurt Ms.  
20 Jones and the Motion to Stay should be denied, even based on the NRAP 8(c) guidelines.  
21

29. Appointed Counsel's Motion for Stay is replete with unfounded statements and unproven assumptions that do not provide proper grounds to grant the extraordinary relief Appointed Counsel is requesting.

WHEREFORE, based on the foregoing, Robyn and Donna respectively request that the Court:

1. Deny the relief requested in the Motion for Stay and Joinder;
2. Hold the Evidentiary Hearing scheduled for June 8, 2021; and
3. Order such other and further relief as it deems appropriate.

DATED: June 3, 2021.

MICHAELSON &amp; ASSOCIATES, LTD.

/s/ John P. Michaelson

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### CERTIFICATE OF SERVICE

Pursuant to NRCP 5 and NEFCR 9, the undersigned hereby certifies that on June 3, 2021, a copy of the foregoing ROBYN FRIEDMAN AND DONNA SIMMONS' OMNIBUS OPPOSITION TO MOTION TO STAY EVIDENTIARY HEARING PENDING PETITION FOR WRIT OF PROHIBITION AND PETITION FOR WRIT OF MANDAMUS; AND KIMBERLY JONES' PARTIAL JOINDER TO KATHLEEN JUNE JONES' MOTION TO STAY EVIDENTIARY HEARING PENDING PETITION FOR WRIT OF PROHIBITION AND PETITION FOR WRIT OF MANDAMUS was e-served and/or mailed by USPS regular mail, postage prepaid, in a sealed envelope in Henderson, Nevada to the following individuals and entities at the following addresses:

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11 12 13 14	Jen Adamo 14 Edgewater Drive Magnolia, DE 19962	Jon Criss 804 Harkness Lane, Unit 3 Redondo Beach, CA 90278
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MICHAELSON & ASSOCIATES, LTD.

/s/ Heather Ranck  
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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

IN THE MATTER OF THE GUARDIANSHIP )  
OF THE PERSON AND ESTATE OF: )  
Kathleen June Jones, )  
An Adult Protected Person. )

Case Number: G-19-052263-A  
Department: B

**ROBYN FRIEDMAN AND DONNA SIMMONS' MOTION IN LIMINE TO PRECLUDE  
UNTIMELY DISCLOSURES AT THE EVIDENTIARY HEARING**

<input checked="" type="checkbox"/> NOTICES / SAFEGUARDS	<input checked="" type="checkbox"/> GENERAL GUARDIANSHIP
<input checked="" type="checkbox"/> Blocked Account	<input type="checkbox"/> Person
<input type="checkbox"/> Bond Posted	<input type="checkbox"/> Estate <input type="checkbox"/> Summary Admin.
<input type="checkbox"/> Public Guardian Bond	<input checked="" type="checkbox"/> Person and Estate

Robyn Friedman and Donna Simmons (hereinafter "Robyn" and "Donna"), interested persons and former temporary guardians, by and through the law firm, Michaelson & Associates, Ltd., respectfully submit to this Honorable Court this Motion in Limine to Preclude Untimely Disclosures from the Evidentiary Hearing (this "Motion"); and represent the following to this Honorable Court:

**DECLARATION OF JOHN MICHAELSON, ESQ. IN SUPPORT OF MOTION IN**  
**LIMINE PURSUANT TO EDCR 2.47**

1. I am the principal and owner of the law firm of Michaelson & Associates, Ltd. maintaining offices at 2200 Paseo Verde Parkway, Ste. 160, Henderson, Nevada 89052.

2. I am a member of the State Bar and am duly licensed to practice law in the State of Nevada.

3. I represent Robyn Friedman and Donna Simmons in this matter.

4. I have personal knowledge of, and would testify to the following:

5. To date, I have not received and been served with a copy of the Pre-Trial Memorandum for the Protected Person and the Guardian.

6. To date, I have not received proposed exhibits from the Protected Person and the Guardian.

7. On the morning of June 7, 2021, I called counsel for the Protected Person Maria Parra-Sandoval and counsel for the guardian James Beckstrom. I left messages for both attorneys because neither attorney answered my call.

8. At the filing of this Motion, Ms. Parra-Sandoval has not returned my phone call.

9. Mr. Beckstrom returned my call. During the call, Mr. Beckstrom refused to agree that he should be precluded from filing a late pre-trial memorandum and proposed exhibits. Instead, Mr. Beckstrom blames the undersigned counsel for his failures and claims that the undersigned should have met and conferred with Mr. Beckstrom last week to correct Mr. Beckstrom's failure to timely provide a pre-trial memorandum and exhibits.

10. My law firm attempted to file Robyn and Donna's pre-trial memorandum and exhibits by 5:00 p.m. on June 1, 2021. However, my firm incurred computer technical issues that precluded meeting the 5:00 p.m. deadline. It took hours with telephone calls to my firm's IT technical support

1 provider to resolve the computer issues. Accordingly, my firm was unable to file the pre-trial  
2 memorandum and exhibits until a few hours after the 5:00 p.m. deadline. All of the files were  
3 eventually successfully uploaded that same night on June 1, 2021, between 9:00 p.m. and 9:50  
4 p.m. All documents were also e-served and, for those not registered for e-service, deposited in the  
5 mail that same night. The proposed exhibits were also emailed to the Court that same night.

6  
7 /s/ John P. Michaelson  
John P. Michaelson, Esq.

8  
9 **MEMORANDUM OF POINTS AND AUTHORITIES**

10 1. On May 12, 2021, this Court issued a Minute Order (the “Minute Order”) setting an  
11 evidentiary hearing for Tuesday, June 8, 2021, on Robyn and Donna’s Petition for Visitation and  
12 the Protected Person’s Petition to Approve Proposed Visitation Schedule.

13 2. The Minute Order also ordered the parties to file a Pre-Trial Memorandum and provide  
14 proposed exhibits on or before June 1, 2021. Additionally, the Minute Order required that Counsel  
15 meet and confer prior to the Evidentiary Hearing to determine whether a stipulation can be reached  
16 relative to the Proposed Exhibits.

17 3. To date, the Protected Person Kathleen June Jones and the Guardian Kim Jones have not  
18 filed a Pre-Trial Memorandum or provided proposed Exhibits to Robyn and Donna. *See*  
19 Declaration of John Michaelson, at ¶ 5-6.

20 4. On June 7, 2021, the undersigned counsel called and left messages for counsel for the  
21 Protected Person and the Guardian, pursuant to EDCR 2.47. *Id.* at ¶ 7. At the time of filing this  
22 Motion, counsel for the Protected Person has not returned the undersigned’s call. *Id.* at ¶ 8.

1 Counsel for the Guardian returned the call and refused to stipulate to this relief. *Id.* at ¶ 9. Instead,  
2 Counsel for the Guardian claims that Robyn and Donna did not timely file the memorandum and  
3 exhibits because the memorandum and exhibits were filed at 9:00 p.m. on June 1, 2021, rather than  
4 by 5:00 p.m. on June 1, 2021<sup>1</sup>. *Id.* Counsel for the Guardian threatened to move for sanctions if  
5 Robyn and Donna proceed with filing this Motion. *Id.* Accordingly, Robyn and Donna met the  
6 requirements of EDCR 2.47 before filing this Motion.

7 5. EDCR 5.525(a) provides that “[n]o new exhibits or witnesses are to be added” after the  
8 deadline for the parties to meet and confer for stipulations and agreements concerning exhibits and  
9 witnesses.

10 6. On the eve of the Evidentiary Hearing, Counsel for the Protected Person and the Guardian  
11 continue to attempt to undermine the process and disrespect the Court by intentionally violating  
12 this Court’s Minute Order. Mr. Beckstrom claims he is going to file proposed exhibits this same  
13 day. Their tactics deprive and unfairly prejudice Robyn and Donna from being able to prepare for  
14 the Evidentiary Hearing. This sets the stage for an Evidentiary Hearing by ambush. This Court  
15 should not tolerate this gamesmanship.  
16

17 7. Counsel for the Protected Person and the Guardian will continue to assert that they did not  
18 obey the Minute Order due to the Protected Person’s pending Motion to Stay these proceedings  
19 pending the Nevada Supreme Court’s resolution of the Protected Persons’ Petition for Writ of  
20

---

21 <sup>1</sup> The undersigned counsel’s law firm experienced computer technical issues that prevented  
22 filing of the pre-trial memorandum and exhibits by the 5:00 p.m. deadline on June 1, 2021. It  
23 took hours with telephone calls to the undersigned counsel’s IT support to solve the computer  
24 issues. Accordingly, the undersigned counsel was unable to file the memorandum and exhibits  
25 until later that night on June 1, 2021. *Id.* at ¶ 10.

1 Mandamus. This argument is without merit. This matter is not stayed until there is a court order to  
2 that effect. *See* NRAP 8. Accordingly, the Protected Person and the Guardian were required to  
3 proceed as if the Evidentiary Hearing was not going to be stayed. Both parties willingly and  
4 knowingly violated the Minute Order. They knowingly filed their Writ of Mandamus and Motion  
5 to Stay *after* the filing deadline for pre-trial briefs. If the evidentiary hearing is stayed, they will  
6 then have had much longer to prepare and analyze Robyn and Donna's arguments and exhibits  
7 without providing any of their own, and without respecting the Court's expedited timeframe as  
8 other parties have complied with. Therefore, the Protected Person and Guardian should be  
9 precluded from filing untimely pre-trial memorandums and exhibits.

10  
11 WHEREFORE, based on the foregoing, Robyn and Donna respectively request that the  
12 Court:

13 1. Preclude the Guardian and Protected Person from untimely filing a pre-trial  
14 memorandum and providing exhibits and witness lists for the evidentiary hearing; and

15 2. Order such other and further relief as it deems appropriate.

16 DATED: June 7, 2021.

17 MICHAELSON & ASSOCIATES, LTD.

18  
19 /s/ John P. Michaelson

20 John P. Michaelson, Esq.  
21 Nevada Bar No. 7822  
22 Ammon E. Francom, Esq.  
23 Nevada Bar No. 14196  
24 2200 Paseo Verde Parkway, Ste. 160  
25 Henderson, Nevada 89052

### CERTIFICATE OF SERVICE

Pursuant to NRCP 5 and NEFCR 9, the undersigned hereby certifies that on June 7, 2021, a copy of the foregoing ROBYN FRIEDMAN AND DONNA SIMMONS' MOTION IN LIMINE TO PRECLUDE UNTIMELY DISCLOSURES AT THE EVIDENTIARY HEARING was e-served and/or mailed by USPS regular mail, postage prepaid, in a sealed envelope in Henderson, Nevada to the following individuals and entities at the following addresses:

Jeffrey R. Sylvester, Esq. <a href="mailto:jeff@sylvesterpolednak.com">jeff@sylvesterpolednak.com</a>  Kelly L. Easton <a href="mailto:kellye@sylvesterpolednak.com">kellye@sylvesterpolednak.com</a>  Co-Counsel for Petitioners, Robyn Friedman and Donna Simmons	Maria L. Parra-Sandoval, Esq. Legal Aid Center of Southern Nevada <a href="mailto:mparra@lacs.org">mparra@lacs.org</a> <i>Attorney for Kathleen June Jones</i>  Penny Walker <a href="mailto:walker@lacs.org">walker@lacs.org</a>  <i>Counsel for June Jones</i>
Geraldine Tomich, Esq. <a href="mailto:gtomich@maclaw.com">gtomich@maclaw.com</a>  James Beckstrom, Esq. <a href="mailto:jbeckstrom@maclaw.com">jbeckstrom@maclaw.com</a>  Javie-Anne A. Bauer <a href="mailto:jbauer@maclaw.com">jbauer@maclaw.com</a>  Deana DePry <a href="mailto:ddepry@maclaw.com">ddepry@maclaw.com</a>  <i>Attorneys for Kimberly Jones</i>	Kate McCloskey <a href="mailto:NVGCO@nvcourts.nv.gov">NVGCO@nvcourts.nv.gov</a>  LaChasity Carroll <a href="mailto:lcarrol@nvcourts.nv.gov">lcarrol@nvcourts.nv.gov</a>  Sonja Jones <a href="mailto:sjones@nvcourts.nv.gov">sjones@nvcourts.nv.gov</a>
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1	<i>Guardian Ad Litem for Kathleen June Jones</i>	
2	Teri Butler	Scott Simmons
3	586 N. Magdalena Street	<a href="mailto:scott@technocoatings.com">scott@technocoatings.com</a>
4	Dewey, AZ 86327	
5	Jen Adamo	Jon Criss
6	14 Edgewater Drive	804 Harkness Lane, Unit 3
7	Magnolia, DE 19962	Redondo Beach, CA 90278
8	Ryan O'Neal	Tiffany O'Neal
9	112 Malvern Avenue, Apt. E	177 N. Singing Wood Street, Unit 13
10	Fullerton, CA 92832	Orange, CA 92869
11	Courtney Simmons	Cameron Simmons
12	765 Kimbark Avenue	<a href="mailto:Cameronnscott@yahoo.com">Cameronnscott@yahoo.com</a>
13	San Bernardino, CA 92407	

MICHAELSON & ASSOCIATES, LTD.

/s/ Lenda Murnane

Employee of Michaelson & Associates



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13 *Guardian of Kathleen June Jones*

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**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

IN THE MATTER OF THE GUARDIANSHIP  
OF THE PERSON AND ESTATE OF:

KATHLEEN JUNE JONES

An Adult Protected Person.

Case No.: G-19-052263-A  
Dept. No.: B

**KIMBERLY JONES' PRETRIAL MEMORANDUM**

Plaintiff, Kimberly Jones, as Guardian of the Person and Estate of Kathleen June Jones ("Kimberly"), through the law firm of Marquis Aurbach Coffing, hereby submits her Pre-Trial Memorandum.

**I. PARTIES**

- Kimberly Jones- Guardian.
- June Jones- Protected Person.
- Robyn Friedman and Donna Simmons- Petitioners.

**II. RELEVANT PROCEDURAL BACKGROUND**

The procedural background is as stated within Petitioner's Memorandum.

**III. FACTS OF THE CASE RELEVANT TO THE PETITIONS AND OPPOSITIONS AT ISSUE IN THE JUNE 8, 2021 EVIDENTIARY HEARING**

The facts relevant to visitation that would be proven at the forthcoming hearing, are as follows:

1           1.       Petitioners maintain no statutory or constitutional right to visitation with an adult  
2 ward of the state.

3           2.       The Protected Person is entitled to have their desires as to social visits and  
4 visitation followed to the greatest degree possible.

5           3.       June has requested a reasonable visitation plan, providing equal access to all  
6 family and friends, it is as follows:

7           4.       June's requested visitation schedule is as follows:

8               •       June wants visits to last one hour max with whoever visits her at  
9 her Anaheim house—any of her children and any of her grandchildren.

10              •       June wants the visits on Friday mornings at 10:00 am. She can  
11 have a visitor from 10:00 am to 11:00 am and a second visitor from 11:00  
12 am to noon.

13              •       The only other place she is willing to travel to is Donna's house,  
14 and again one hour max there too.

15              •       June does not want to stay overnight with anyone.

16              •       To avoid communication issues, the guardian would leave June's  
17 Friday mornings open for any visitor (in-person visits or calls)

18              •       Guardian must receive a confirmation (text or email) that that  
19 visitor is actually arriving, 24 hours before the scheduled visitor time.

20              •       If no one-way confirmations are sent to the guardian by Thursday  
21 morning, the guardian is free to change plans for Friday mornings.

22              •       If any of her children or grandchildren cannot visit June every  
23 Friday morning, they can send a confirmation to the guardian (on  
24 Thursday morning) and instead of a visit request to make June available  
25 for a call that Friday morning.

26              •       If the visitor does not want the guardian around: (1) the guardian  
27 will leave the home to run errands while visitations are taking place OR  
28 (2) visitations will simply take place in the common areas of the Anaheim  
home. (June does not want the Guardian to be forced to leave the home  
during visitations as she will have her own personal space to retreat to for  
the length of the visitation.)

              •       June is happy to speak to anyone that calls her on any other day.  
As of 4/27/2021, the guardian had a landline installed for June's personal  
use. The phone number has been provided to her adult children.

              5.       June has expressed to her attorney, Guardian Ad Litem, and Guardian that she  
wants her visitation schedule followed.

1           6. Kimberly has never restricted June's access to Petitioners, let alone any other  
2 family member.

3           7. June has regular communications with her family and friends.

4           8. June visited Petitioners for Mother's Day (the entire day). Kimberly encouraged  
5 her to go, despite June not wanting to go.

6           9. Since the beginning of these Guardianship proceedings, Petitioners rarely attempt  
7 to call June. Despite false claims to the contrary, Petitioners' phone records to and from June's  
8 cell phone and the Guardian's cell phone are dispositive on this issue.

9           10. Over the last six months, Petitioners calls to June have further diminished.

10           11. Despite Petitioners rarely attempting to communicate with June, the Guardian has  
11 consistently communicated with Petitioners to facilitate communication directly with June—  
12 which is June's stated desire.

13           12. June maintains a cell phone and landline and when she wants to talk on the phone,  
14 she talks on the phone.

15           13. From the day Kimberly assumed her duties as Guardian, before any claimed  
16 dispute over seeing June existed, Petitioner Friedman made clear her intent was to obtain a  
17 written visitation order.

18 **IV. POINTS AND AUTHORITIES**

19           Petitioners maintain no legal basis to usurp the clear directive of the protective person's  
20 stated desire for a visitation schedule. Likewise, there is no basis for any form of evidentiary  
21 hearing on wholly conclusory claims of "prohibitions of communication" under NRS 159.  
22 Indeed, Petitioners have turned the intent of NRS 159 on its head through nothing more than  
23 repeated attempts from the inception of this case to use the well-intended guardianship statutes as  
24 a tool to control the protected person's life in every aspect. Inclusive is Petitioner's attempt to  
25 drain the protected person's estate with protracted legal proceedings they are well aware the  
26 protected person cannot sustain. Exemplary of this goal is the instant evidentiary hearing, which  
27 was spurred by Petitioner's blatantly false allegations that the protected person has somehow  
28 been "restricted" from family members. Sadly, despite the Guardian and the protected person

1 (through her qualified an independent counsel) *already conceding* to Petitioner’s demands for a  
2 visitation schedule as a result of not having the time, nor the resources to defend against the  
3 absurd request, Petitioners still desire to waste yet additional resources of the parties and this  
4 Court.

5 First and foremost, the facts as averred by Petitioner do not set forth any actionable claim  
6 for relief under NRS 159.332—which requires a showing a guardian has restricted the right of a  
7 protected person to communicate, visit or interact with a relative or person of natural affection,  
8 including, without limitation, by telephone, mail or electronic communication. NRS 159.332. To  
9 be clear, Petitioner’s complaint is much different than the protected person being locked away  
10 from her children. Rather, Petitioners complain that they can’t speak or see the protected person  
11 on a schedule that they approve of. Indeed, what Petitioners attempt to do is pervert NRS  
12 159.332 to impose an affirmative obligation of the Guardian to force communication, attempting  
13 to conceal the fact Petitioners rarely (if ever) attempt to communicate with the Guardian. NRS  
14 159.332 was designed to ensure communication was not restricted *when persons of close*  
15 *affinity attempt to communicate* with protected persons—it does not allow and was never  
16 intended to allow an interested party to advance such a claim when no attempt for  
17 communication exists, nor a claim of “insufficient communication.”

18 **A. PETITIONER HAS FAILED TO SET FORTH EVIDENCE THE**  
19 **GUARDIAN HAS EVER RESTRICTED THE PROTECTED PERSON**  
20 **AND THE RELIEF PETITIONER SEEKS IS UNAVAILABLE UNDER**  
21 **THE LAW.**

22 **1. NRS 159.332 is Inapplicable and Belied by Clear and Convincing**  
23 **Evidence Already Before this Court.**

24 Petitioners cling to NRS 159.332 in an attempt to gain any type of traction before this  
25 Court. In doing so, Petitioner’s aver Kimberly has in some unstated manner “restricted” June  
26 from accessing Petitioners. Most concerning is the legally deficient assumption by Petitioner’s  
27 counsel that a self-proclaimed “restriction” exists and the subsequent conclusion that a simple  
28 allegation somehow flips the burden of disproving a negative on Kimberly. Petitioner is wrong  
on the law and facts.

1 NRS 159.332 was not drafted nor intended to provide Petitioner (nor anyone else) a  
2 private right of action to prosecute their desired preferential visitation schedule at the expense of  
3 the protected person's estate. NRS 159.332 is clear and focuses on ***express restrictions enacted***  
4 ***by a Guardian*** to restrict a protected person from communicating, visiting, or interacting with a  
5 relative or person of natural affection. NRS 159.332(1). In other words, absent the Guardian  
6 conveying a restriction or acting overtly to restrict the protected person from communication—  
7 NRS 159.332(1) is not implicated. Notably, NRS 159.332(1)-(3) all deal with specific instances  
8 where restriction of visitation or communication is overt. The plain language of the statute does  
9 not simply arm any would be relative to assert a charge of restricted communication in a contrary  
10 fashion and subsequently place the burden of persuasion on the guardian. *Id.* Such an  
11 interpretation would impose an undue burden on both guardians and the estates of protected  
12 persons, leaving both parties in the exact situation presented in this case— A costly defense over  
13 superficial claims of guardian wrongdoing, short of a formal petition to remove the appointed  
14 guardian.

15 This is especially true in the context of this case where the protected person has  
16 continuously made her desires on visiting her family clear to her court appointed legal counsel  
17 and the Court. The protected person has gone so far as instructing her attorney to file a proposed  
18 visitation schedule, so she can stop two of her daughters from using the vary statutes designed to  
19 protect her, for their own benefit.

20 Second, even if this Court somehow found the conclusory and self-serving allegations of  
21 Petitioners worthy of inquiry, June has expressed her desire to limit Petitioners forced  
22 communication efforts on numerous occasions to numerous third parties. While June has never  
23 stated she does not wish to speak with Petitioners, she has informed Kimberly, her court  
24 appointed attorney, and her daughter Terri Butler of her desired path of communication with  
25 Petitioners—who remain the only people on earth who seek to undermine June's stated desires.  
26 Pursuant to NRS 159.332(1)(a), although Kimberly has never restricted June from  
27 communicating with Petitioners, even if the Court had a concern over the vague allegations from  
28 Petitioners, such concern is entirely belied by the duplicative protection already provided to June

1 and June's explicit cry for a visitation schedule with Petitioners on her own terms. The Court has  
2 vetted this issue time and time again, wherein Mrs. Butler and Mrs. Parra-Sandoval have stated  
3 June's desires on visitation.

4 Under NRS 159.332(1)(a) restriction would be permitted (though none exists) if "[t]he  
5 protected person expresses to the guardian and at least one other independent witness who is not  
6 affiliated with or related to the guardian or the protected person that the protected person does  
7 not wish to communicate, visit or interact with the relative or person of natural affection." Here,  
8 this has been established ad nauseam and if required, it will be shown yet again—yet at an  
9 unfortunate and unnecessary cost to June.

10 While patently false and unsupported on nothing more than conjecture, Petitioners list a  
11 litany of allegations that they claim "taken together – 'restrict the right of a protected person.'"<sup>1</sup>  
12 None of the allegations remotely rise to the level of restricting June's communication to  
13 Petitioners. To be clear, Petitioner's allegations are provided yet again to the Court to highlight  
14 the absurdity of entertaining a hearing on a NRS 159.332 issue:

15 Kim's passive aggression, as has been amply demonstrated by all the pleadings in  
16 this matter, includes i) not answering text or email questions for days, or in some  
17 cases never answering; ii) taking June abruptly elsewhere when others had an  
18 expectation of visiting June at her home; iii) not adequately ensuring June can  
19 answer her phone; iv) not assisting June with any regularity in making calls to her  
20 family in ways that would actually accomplish communication since times are  
21 completely unknown and random; v) suddenly offering access to June with  
22 virtually no notice; vi) unilaterally packing up all of June's things and moving  
23 June out of state abruptly without Court approval and with no notice to any of the  
24 family; vii) continuously referring family members to "just call June" despite  
25 knowing that June is not capable of rationally arranging and facilitating visitation,  
26 interaction and communication without assistance; viii) not disclosing to family  
27 Kim's intentions concerning where she and June will live until after severe  
28 amounts of efforts and meet and confer and Court intervention; ix) continuously  
refusing to allow visitation with June without Kim's presence, while knowing  
there is a great deal of acrimony and hostility between Kim and most of her  
family; x) refusing to disclose until very recently whether her boyfriend who has  
had nearly violent confrontations with family members will be living with June so  
family can anticipate that and make arrangements; xii) refusing for months and  
months to provide a detailed, written plan of care, in one document, not spread  
across many pleadings in the form of oblique and general references to "same as  
before" care, which were only recently filed in hopes of leaving the jurisdiction of  
this Court; and xiii) generally passively aggressively refusing in good faith to

<sup>1</sup> April 23, 2021 Petition for Visitation at ¶ 39, on file.

1 answer basic questions to avoid costly litigation to get even the most basic  
2 answers out of Kim (such as “are you even in Nevada?”).

3 *Id.* at ¶¶ 38-39.

4 Lacking in these conclusory allegations is any statement rising to the level of the plain  
5 and ambiguous language of NRS 159.332. Not a single allegation, nor a plausible averment of  
6 fact supports any conclusion that Kimberly has (1) restricted June from visiting or interacting  
7 with a relative; (2) blocked June from using a phone to communicate with anyone (including  
8 Petitioners); (3) deprived June from letters (mail) sent by anyone; or (4) blocked or frustrated  
9 June’s ability to use electronic communication. Instead, what is asserted is that Kimberly is not  
10 “arranging and facilitating” communication. Thus, what Petitioner has attempted to do is apply  
11 an affirmative obligation on the Guardian that doesn’t exist under Nevada law. *Petitioner wants*  
12 *Kimberly to do more—but there is no plausible claim of restriction under NRS 159.332.*

13 2. **Petitioners Seek Relief From This Court Unavailable Under NRS**  
14 **159.335 and the Protected Person’s Stated Visitation Schedule**  
15 **Renders Any Available Remedy Moot.**

16 Petitioners are selling the Court a story with no ending all at the expense of June. To be  
17 clear, Petitioner’s original request for visitation was as follows—provided verbatim:

18 This Petition requests this Court *to issue an order identifying the calendar,*  
19 *availability or procedure that is effective and works best for Ms. Jones, and for*  
20 *Kim*, to facilitate the communication, visits and vacation time that Ms. Jones  
21 should have with Robyn and Donna, and Ms. Jones’ other family members.  
22 *Petitioners are open to whatever calendaring procedure works best for Ms.*  
23 *Jones that also takes into consideration Petitioners’ availability* and ability to  
24 take time off from work and caring for their own families and children. Many  
25 times, any efforts by Kim to coordinate communication or visits between Ms.  
26 Jones and Robyn or Donna are last minute, or with no notice whatsoever.  
27 Petitioners simply need reasonable, established timeframes to work within so they  
28 can plan accordingly to have time with Ms. Jones.

December 31, 2020 Petition for Communication, Visits, and Vacation Time with Protected  
Person at ¶ 7, on file.

Oddly, Petitioners’ own request *has been satisfied by June* through her counsel with the  
proposed visitation plan.<sup>2</sup> Despite this, Petitioners’ allegations continue to shift to advance a

<sup>2</sup> See Kathleen June Jones Petition to Approve Proposed Visitation Schedule, on file.



1 never-ending narrative of complaints. It is truly unclear now as to what Petitioners seek. June's  
2 requested visitation schedule is as follows:

- 3 • June wants visits to last one hour max with whoever visits her at her  
4 Anaheim house—any of her children and any of her grandchildren.
- 5 • June wants the visits on Friday mornings at 10:00 am. She can have a  
6 visitor from 10:00 am to 11:00 am and a second visitor from 11:00 am to  
7 noon.
- 8 • The only other place she is willing to travel to is Donna's house, and again  
9 one hour max there too.
- 10 • June does not want to stay overnight with anyone.
- 11 • To avoid communication issues, the guardian would leave June's Friday  
12 mornings open for any visitor (in-person visits or calls)
- 13 • Guardian must receive a confirmation (text or email) that that visitor is  
14 actually arriving, 24 hours before the scheduled visitor time.
- 15 • If no one-way confirmations are sent to the guardian by Thursday  
16 morning, the guardian is free to change plans for Friday mornings.
- 17 • If any of her children or grandchildren cannot visit June every Friday  
18 morning, they can send a confirmation to the guardian (on Thursday  
19 morning) and instead of a visit request to make June available for a call  
20 that Friday morning.
- 21 • If the visitor does not want the guardian around: (1) the guardian will  
22 leave the home to run errands while visitations are taking place OR (2)  
23 visitations will simply take place in the common areas of the Anaheim  
24 home. (June does not want the Guardian to be forced to leave the home  
25 during visitations as she will have her own personal space to retreat to for  
26 the length of the visitation.)
- 27 • June is happy to speak to anyone that calls her on any other day. As of  
28 4/27/2021, the guardian had a landline installed for June's personal use.  
The phone number has been provided to her adult children.

Based on June's stated visitation schedule—which was exactly what Petitioners sought,  
the issue of visitation is rendered moot. There is simply no legal authority vesting this Court or  
any interested party to modify the clear and expressed desires of an adult ward of this Court. In  
fact, the clear intent and plain language of NRS 159.334 states that before the Court impose any  
type of visitation concerning the protective person, the first "order of preference" . . . ***"based on  
the wishes of the protected person."*** NRS 159.334(1)(a). The intent of the legislature could not  
have been clearer, ***the protected person maintains a fist preferential right to control visitation.***

1 In addition to the issue of visitation being rendered moot and the protected person  
2 maintaining a preferential right to control visitation, the undefined self-serving schedule  
3 Petitioners seek is not an available right to them allowed under Nevada law. It Petitioners are  
4 relying on NRS 159.332, the procedural mechanism for what relief an interested party can seek  
5 are defined within NRS 159.335 (assuming an actual restriction existed).<sup>3</sup> What is allowed is for  
6 the Court to “[r]equire the guardian to grant the relative or person of natural affection *access* to  
7 the protected person.” NRS 159.335(1)(a) (emphasis added). Access is a non-existent issue.  
8 June’s proposed plan has been consented to by the Guardian and the Guardian has already  
9 conceded to any type of visitation request June desires.

10 What Petitioners seek is a preferential schedule that fits best for them. Included is a  
11 requirement for the Guardian to affirmatively take steps that are not a grant of access to the  
12 protective person—they are backdoor attempts at a defacto co-guardian role, without the  
13 responsibilities or right to do so. For example, they want an online communication app to be  
14 used.<sup>4</sup> This application is not a request for communication with June, it is an imposition on the  
15 Guardian. The same applies to the request for “family mediation” which the Court can recall was  
16 attempted and frustrated by Petitioners.<sup>5</sup> The pattern continues, *as Petitioners also ask this*  
17 *Court to “canvass the protected person” on desires to “terminate the Guardianship” and allow*  
18 *the family to ask June proposed questions on her “financial situation, social issues, safety,*  
19 *self-care, and legal situation [sic].”*<sup>6</sup> Once again, none of this relief is available under NRS  
20 159.335(1)(a) and Petitioners cite no authority which allows them to privately prosecute these  
21 requests.

22 Likewise, no authority under NRS 159.335(1) exists to: (1) require Kimberly to facilitate  
23 all scheduled communications, visits, and vacations; (2) force Kim is to drive Ms. Jones to the

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24 <sup>3</sup> As stated, NRS 159.332 was not intended to be used for the purpose relevant in this case, as the  
25 conditions for relief available under NRS 159.335(1) doesn’t apply.

26 <sup>4</sup> *Id.* at ¶ 66.

27 <sup>5</sup> *Id.* at ¶ 71-73.

28 <sup>6</sup> *Id.* at ¶ 76.

1 local family visits 50% of the time. (¶ 83(b)); (3) make June call her family “one to two times a  
2 week at set times when the family members are likely to answer” (¶ 83(d)); (4) have a “standing  
3 call time to check-in with family once or twice a week, or ten minutes set aside each week where  
4 “Kim calls all of Ms. Jones’ family, including the grandchildren” (¶ 83(e)); (5) “mandate Kim to  
5 provide weekly updated to Petitioners regarding Ms. Jones’ physical travel plans . . .”; (6) direct  
6 Kim to provide ‘straightforward answers’ to questions raised in text messages ‘promptly.’; and  
7 (7) impose a visitation schedule and apply it to “all Ms. Jones’ family” (Pet. at ¶ 83(k)).

8 In conclusion, even if this Court somehow allowed this hearing to go forward and  
9 construed a non-existent “restriction” exists, the only relief available to Petitioners is he request  
10 that is already pending before the Court—June’s desired visitation schedule. Nothing more is  
11 allowed under the law. NRS 159.335(1).

12 **B. THE PROTECTED PERSON IS STATUTORILY ENTITLED TO HAVE**  
13 **HER PREFERENCE AS TO VISITATION HONORED AND THE LAW**  
14 **OF “VISITATION” AGAINST THE WILL OF AN ADULT WARD IS**  
15 **NON-EXISTENT.**

16 Under NRS 159.328(h), a protected person has the right to “[r]emain as independent as  
17 possible, including, without limitation, to have his or her preference honored regarding his or her  
18 residence and standard of living, either as expressed or demonstrated before a determination was  
19 made relating to capacity *or as currently expressed, if the preference is reasonable under the*  
20 *circumstances.*” (Emphasis added). Additionally, under NRS 159.328(i), a protected person *has*  
21 *the right to “Be granted the greatest degree of freedom possible, consistent with the reasons*  
22 *for a guardianship, and exercise control of all aspects of his or her life that are not delegated*  
23 *to a guardian specifically by a court order.”* NRS 159.328(i). In this case, June has set forth a  
24 clear and extremely reasonable “visitation” plan. Despite the Guardian having no objection to  
25 June’s plan, there has been lingering filings with no basis in law. These filings by Petitioners cut  
26 aggressively against the intent of NRS 159.328(i). In scouring treatises and case-law across the  
27 nation, not a single point of caselaw supports the abusive steps taken by Petitioners.  
28

1           Nonetheless, in briefing the issue for the Court and noting that the plain language of NRS  
2 159 provides nothing allowing an interested party to subvert the desire of the protected person on  
3 an issue of visitation, the following points on visitation are provided.

4           June's counsel provides a compelling examination of the limited case law involving a  
5 request for visitation of an adult ward.<sup>7 8</sup> In *In re Guardianship of Rowland*, 348 P.3d 228, 230  
6 (Okla. Civ. App. 2015), the Oklahoma Court of Appeals considered ***whether a district court can***  
7 ***force an adult protected person into a visitation schedule over their objection. The result was a***  
8 ***resounding "no."*** In *Rowland*, the court reversed a district court's visitation order over an adult  
9 protected person because "court-ordered visitation does not allow [the protected person] to  
10 participate in decisions affecting him, nor does it foster his independence." 348 P.3d 228, 230  
11 (Okla. 2015). The facts of *Rowland* are the most analogous to this case, they are simple—an  
12 adult ward opposed a visitation schedule with his father. Despite this, the guardianship Court set  
13 a visitation schedule on a "best interest of the ward" type of standard requiring the ward to visit  
14 his father. *Id.* Rightfully, the ward's guardian filed an appeal whereby the Court of Appeals  
15 slapped down the trial court's attempt to impose visitation opposite of the ward's choice.

16           In doing so, the Court focused extensively on the intent of the Oklahoma Guardianship  
17 and Conservatorship Act, 30 O.S.2011 § 1–101 et seq., which follows the premises set forth  
18 within NRS 159 and provides as follows:

19           It is the purpose of the system of general and limited guardianships for  
20 incapacitated and partially incapacitated persons established by this act to provide

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21 <sup>7</sup> See June Jones's Writ Petition, on file.

22 <sup>8</sup> Petitioner cites to *Estate of Schneider*, 570 S.W.3d 647, 649 (Mo. Ct. App. 2019) as being applicable to  
23 this case. This case requires little analysis as it has no relevance to this case. *Schneider* was a petition for  
24 removal of a guardian—not a vague and conclusory petition for visitation sprinkled in with allegations of  
25 isolation. *Id.* Rather, *Schneider* was an extreme case, where repeated reports from the guardian ad litem  
26 confirmed the guardian stopped providing the ward necessary behavioral medications outside the consent  
27 of a physician, refused to have communications with family (including the guardian ad litem), and refused  
28 to take the ward to church, a place he had continuously attended for 40 years. In short, the facts of  
*Schneider* expressed and showed a dangerous situation to the ward. No such situation exists. Petitioners  
concede they don't want removal, in fact, Petitioners aver ***"[t]his Petition is NOT to ask this Court to***  
***remove Kim as guardian."*** Petitioner's Pretrial memorandum at ¶ 64.

1 for the participation of such persons, as fully as possible, in the decisions which  
2 affect them. It is the intent of the Oklahoma State Legislature:

3 1. That the court shall exercise the authority conferred by the Oklahoma  
4 Guardianship Act so as to encourage the development of maximum self-reliance  
5 and independence of the incapacitated or partially incapacitated person and make  
6 appointive and other orders only to the extent necessitated by the mental and  
7 adaptive limitations or other condition of the incapacitated or partially  
8 incapacitated person warranting the procedure[.]

9 *Id.*

10 The court also noted the practical difficulties and inherent unfairness (and likely lack of  
11 constitutional authority) in enforcing a visitation order over an adult protected person because it  
12 is unclear who would be punished for violating the visitation order. *Id.* (Emphasis added). In  
13 doing so, the Court aptly noted that “[o]rders allowing visitation between a non-custodial parent  
14 and child are traditionally enforced by contempt proceedings against the custodial  
15 parent. *See Burris v. Hunt*, 1998 OK CIV APP 125, ¶ 7, 965 P.2d 1003, 1006. In recognizing this  
16 practical point, the Court further noted that in the situation of the ward, when the father was  
17 aggrieved with his son not wanting to see him, he filed applications for indirect contempt  
18 citations against the mother (guardian). *Id.* In recognizing this, the Court correctly concluded the  
19 guardian mother “could not physically force a grown man to go somewhere he does not want to  
20 go, and [the] mother should not be subjected to the risk of contempt citations for something she  
21 cannot control.” *Id.*

22 The Court in *Rowland* also correctly references the point that ***adult wards with certain***  
23 ***mental challenges or partial mental incapacity do not lose their right to choose whom they***  
24 ***associate.*** *Id.* (Emphasis added); *See also, Schmidt v. Schmidt*, 313 Pa.Super. 83, 86, 459 A.2d  
25 421, 423 (1983) (“In the absence of an adjudication of incompetency, a handicapped adult should  
26 not be deprived of the freedom to make for himself or herself the same family related decisions  
27 which other adults enjoy.”). Illustrative of this point is the facts and reasoning adopted in  
28 *Schmidt* in regards to the rights of a mentally retarded adult ward and forced visitation. The  
synopsis and holding as stated by the Court of Appeals was as follows:

***Can a twenty-six-year-old woman, who is a victim of Down's Syndrome and has  
the mental ability of a child between the ages of four and a half and eight years,  
be compelled by court order to visit a parent against her will?*** The trial judge

1 concluded, in a thoughtful and concerned adjudication, that the daughter should  
2 be compelled to visit her father but only under circumstances carefully  
3 circumscribed by safeguards intended to protect her emotional and psychological  
4 well-being. ***Despite the care which the trial judge exercised in attempting to  
5 resolve this difficult issue, we are constrained to hold that an adult person  
6 cannot be compelled by judicial decree to visit a parent against his or her will.***

7 *Id* at 85. (emphasis added).

8 This reasoning is directly analogous and applicable to this case. In *Schmidt*, the adult  
9 ward had the mental acuity of a four-year old. *Id*. Despite this fact and cries that the Ward  
10 couldn't make a reasoned decision on visitation, the Court concluded that *because the Ward "is  
11 an adult she enjoy[ed] many of the same rights and privileges enjoyed by other adult citizens.  
12 These include a constitutionally protected freedom of choice to make certain basic decisions  
13 regarding marriage, procreation, family life and privacy." See, e.g. Roe v. Wade, 410 U.S. 113,  
14 93 S.Ct. 705, 35 L.Ed.2d 147 (1973); Stanley v. Illinois, 405 U.S. 645, 92 S.Ct. 1208, 31 L.Ed.2d  
15 551 (1972); Eisenstadt v. Baird, 405 U.S. 438, 92 S.Ct. 1029, 31 L.Ed.2d 349 (1972); Griswold  
16 v. Connecticut, 381 U.S. 479, 85 S.Ct. 1678, 14 L.Ed.2d 510 (1965). Finally, the Court  
17 concluded "[t]his freedom of choice, it would seem, should include the same right which an adult  
18 has to refuse to visit a parent. . . . a handicapped adult should not be deprived of the freedom to  
19 make for himself or herself the same family related decisions which other adults enjoy. **Such a  
20 person has the same needs as other adults for social approval, respect and privacy, as well as  
21 freedom to make important decisions regarding personal preferences and associates. Id.**  
22 (emphasis added).*

23 Here, June has made clear that she wants to be in control of visitation with family  
24 members. She wants her children to reach out to her directly and coordinate times to meet. She  
25 loves her children and wants to see them, but she also wants the freedom and independence, like  
26 any other adult, to choose when she does so. June doesn't like to talk on the phone, but will field  
27 calls when her children call. She likes short calls, if at all. June is not braindead. She suffers from  
28 age related non-specific dementia. June is not in a vegetative state and has freely communicated  
with her court appointed attorney and guardian ad litem. Consequently, as a matter of law,

1 nothing raised by Petitioners is legally actionable and any attempt by this Court to usurp the  
2 express desires of the adult guardian would constitute reversible error.<sup>9</sup>

3 **C. THE PETITIONS FOR VISITATION AND CLAIMS OF ISOLATION**  
4 **CAN AND MUST BE DEEMED VEXATIOUS BY THIS COURT.**

5 This Court has an inherent obligation to protect June Jones. In doing so, this Court  
6 maintains broad authority to sanction vexatious conduct. NRS 159.0486. Petitioners have  
7 transcended the boundary of interested persons to clear harassment of both June and the  
8 Guardian. Petitioners claims for visitation are opposite of what June Jones wants and are  
9 supported with no rationale as why June's requested option is not legally permissible or in the  
10 best interest of June—zero. The only complaints about June's proposed visitation plan is that  
11 Petitioners do not like it. With no legal basis as to why June's visitation plan runs afoul of the  
12 law, the challenge on its face is without merit and intended to harass Kimberly. NRS  
13 159.0486(1)(a). If the Court deems a petition is filed without merit, "the court may impose  
14 sanctions on the petitioner in an amount sufficient to reimburse the estate of the protected person  
15 for all or part of the expenses incurred by the estate of the protected person to defend the  
16 petition, to respond to the petition and for any other pecuniary losses which are associated with  
17 the petition." NRS 159.0486(2).

18 Likewise, Petitioners have filed not one, but two meritless petitions for visitation, the  
19 most recent *without even attempting to contact the protected person (or her attorney) or the*  
20 *Guardian*. The pattern is constant and clear, Petitioners are advancing a cost war against the  
21 Guardian and protected person. Notably, Petitioners' *April 23, 2021 Petition was never*  
22 *withdrawn*, despite the fact that with a simple call Petitioners received exactly what they wanted.  
23 This case has come to the point of harming June and the Guardian and in the event the Court

24 \_\_\_\_\_  
25 <sup>9</sup> To the extent this Court seeks to establish that June lacks complete competency in making even the most  
26 basic life decisions, such a fact-finding mission is far outside the scope of the current hearing and lacks  
27 any plausible basis in law or fact. Indeed, attempting to adjudicate June as completely incompetent to  
28 make any social or life decisions would implicate yet additional constitutional considerations. *See,*  
*e.g. Roe v. Wade*, 410 U.S. 113, 93 S.Ct. 705, 35 L.Ed.2d 147 (1973); *Stanley v. Illinois*, 405 U.S. 645, 92  
S.Ct. 1208, 31 L.Ed.2d 551 (1972); *Eisenstadt v. Baird*, 405 U.S. 438, 92 S.Ct. 1029, 31 L.Ed.2d 349  
(1972); *Griswold v. Connecticut*, 381 U.S. 479, 85 S.Ct. 1678, 14 L.Ed.2d 510 (1965).