

1 DEBRA M. AMENS, ESQ.
2 Amens Law, Ltd., Nevada Bar No. 12681
3 P.O. Box 488, Battle Mountain, NV 89820
4 T: 775-235-2222 F: 775-635-9146
5 Email: debra@amenslawfirm.com

6 *The undersigned affirms that this document contains no
7 Social Security Numbers pursuant to NRS 239B.030*

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Elizabeth A. Brown
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8 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

9 **OFFICE OF THE CLERK**

10 IN THE MATTER OF THE
11 GUARDIANSHIP OF THE PERSON
12 AND ESTATES OF C.T.F. AND
13 P.G.S., MINOR PROTECTED
14 PERSONS.

Supreme Court No. 83443
District Court Case No. PR-GU-18-67

15 **FAST TRACK STATEMENT**

16 1. Appellants, Pamela and Michael Lucero, (hereinafter "Lucero's"
17 or "Appellants"), by and through their attorney, Debra M. Amens, Esq. of Amens
18 Law, Ltd., hereby files this Fast Track Statement.

19 2. Appellant's Attorney contact information is:

20 Debra M. Amens, Esq.
21 AMENS LAW, Ltd.
22 P.O. Box 4888
23 Battle Mountain, NV 89820
24 (775) 235-2222

25 3. Appellant Attorney and Trial Attorney are the same.

26 4. Lower court proceedings occurred in the Fourth Judicial District

1 Court in and for the County of Elko, Department 1; Case #: PR-GU-18-67. Cases
2 PR-GU-18-49 (Ferguson Guardianship) and PR-GU-18-56 (McGrew
3 Guardianship) were heard together with the case being appealed.
4

5 5. The Honorable District Court Judge, Kriston N. Hill, presided
6 and issued the final order.
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8 6. This appeal followed a hearing on a *Petition for the Appointment*
9 *of General Guardians* held first on August 5, 2020, and concluded on March 4,
10 2021. The hearing lasted approximately three (3) days, where the Parties, through
11 their respective counsels, took and gave testimony and made argument. A
12 temporary Co-Guardianship between all of the Petitioners was put into place
13 *pendente lite* in June 2018 whereby the minor protected persons lived one week
14 with the Luceros and their biological mother and then were divided and lived one
15 week with their respective paternal grandparents.
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19 7. This appeal is based on the *Findings of Facts and Order*
20 *Granting Guardianship* entered on May 13, 2021 where the Court appointed, now
21 Respondents', MARIA and JOHN MCGREW (hereinafter "McGrews"), as
22 Guardians over PAISLEY GRACE STONE (hereinafter "Paisley"), born on May
23 26, 2016 and Respondents', VICKIE and DONALD FERGUSONS (hereinafter
24 "Fergusons"), as Guardians over CARTAR THOMAS FERGUSON (hereinafter
25 "Cartar"). Paisley and Cartar collectively will be referred to as minor protected
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1 persons.

2 8. Appellants and the biological Mother were awarded only
3 supervised visitation with the minor protected children as prescribed by the
4 Guardians and these requests are being denied. Mother and Appellants have seen
5 Paisley for one (1) hour at her kindergarten graduation in June 2021, and have had
6 only three (3) video visits since the District Court order.
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8 9. The time for the filing the Notice of the Appeal was tolled by a
9 filing of a Motion listed in NRAP 4(a)(4):
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11 a. Motion for Reconsideration, filed June 7, 2021 and mailed out via first
12 class mail.
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14 b. Notice of Entry of Order denying Motion for Reconsideration was filed
15 on August 20, 2021.
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17 10. The *Notice of the Appeal* was filed on August 24, 2021.
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19 11. NRAP 4(a)(4)(D) governs the time limit for filing the Notice of
20 the Appeal.
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22 12. The State of Nevada's Constitution grants jurisdiction to this
23 Court to hear the appeal in Article 6, Section 4 (1).
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25 13. There are no prior or other pending proceedings in this Court
26 involving these parties. This present appeal, Supreme Court No. 83443 is the only
27 proceeding presently before the court involving the Parties herein.
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1 **14. Proceedings raising the same issues.**

2 Appellant is unaware of current pending cases involving the same
3
4 issues raised in this case. However, Appellants are aware that the biological Mother
5 has petitioned the on-going Guardianships actions in the 4th Judicial District Court
6 Cases PR-GU-18-49 (Ferguson Guardianship) and PR-GU-18-56 (McGrew
7 Guardianship) be terminated.
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9 **15. Procedural History.**

10
11 On April 18, 2018 and April 20, 2018 respectively, the Fergusons and the
12 McGrews, by and through their attorney, Travis Gerber, Esq. of Gerber Law Office,
13 each filed a Petition for Guardianship. The McGrews filed to be appointed
14 Guardians for Paisley, in Case No. PR-GU-18-56; and, the Fergusons filed to be
15 appointed Guardians for Carter, in Case No. PR-GU-18-49. With their Petitions
16 they included a Consent from the Natural Mother, Kristin Stone (hereinafter
17 “Mother”). (A-1, A-2, A3)
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20 After signing the consent in the attorney’s office, the Fergusons and
21 McGrews, put Mother on a bus to California.
22

23 The Luceros, the previous Guardians and Grandparents of Mother, were not
24 consulted prior to the paternal grandparents’ actions, despite both minor protected
25 persons primarily residing in the Luceros home since their birth. The Luceros,
26 after retrieving Mother from California, filed an *Ex Parte* Emergency Petition for
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1 Temporary Guardianship on May 22, 2018 (A-4). The Luceros filed their own
2 Petition for General Guardianship of both children on May 22, 2018, in Case No.
3 PR-GU-18-67 (A-5). The Court held a brief hearing on June 6, 2018, and granted
4 a temporary shared Guardianship of the minor protected persons between the
5 Luceros and the McGrews over Paisley; and, a shared Guardianship of the minor
6 protected persons between the Luceros and the Ferguson's over Carter. (C-1) The
7 Court appointed Michelle Rodriquez, Esq. to represent the children's interest.
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11 The majority of the time since the 2018 initial hearing, the parties have
12 exchanged the children on a week-on/week-off basis. A week where the siblings
13 were together with the Luceros and their Mother and then a week where Paisley
14 was with the McGrews and Carter was with the Fergusons (C-1). In June 2020,
15 based on bruising and disclosures by Paisley to her counselor, the Lucero's filed
16 an *Ex Parte* Emergency Motion to Suspend Exchanges on June 18, 2020 (A-8).
17 Exchanges were stopped temporarily with Paisley and then resumed on the week-
18 on/week-off rotation in August 2020 with a condition of no spanking by Ms.
19 McGrew, following the August 6, 2020 hearing (See Transcript 2, page 368-370
20 cited as *TR2p368-370*).
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25 Since the grant of temporary co-Guardianship, the Court has been trying to
26 complete an evidentiary hearing which, almost three (3) years later was concluded
27 finally on March 4, 2021, with a new judge presiding. Judge Hill requested that,
28

1 in lieu of closing arguments, each attorney present a proposed order and visitation
2 plan. (A-10) The Court also requested that Mother provide the Court with a letter
3 outlining her wishes following the hearing, this was filed on March 26, 2021 (A-
4 9). The Court also requested documents from the Division of Child and Family
5 Service in regards to the Parties that were reviewed “*in-camera*” following the
6 close of the hearing (C-3).
7

8
9 A final Order was issued on May 24, 2021, granting McGrews general
10 guardianship over Paisley and Ferguson’s general guardianship over Cartar (E-1).
11 It provided for unspecified, supervised visitation by Mother and the Luceros at the
12 guardians discretion. (*Id.*)
13
14

15 On June 7, 2021, the Luceros filed a Motion for Reconsideration (A-10).
16 The Court denied the Motion on July 21, 2021. The Order denying the Motion was
17 not provided to the Luceros’ but upon receiving the order, Luceros filed a Notice
18 of Entry of Order on August 20, 2021 (Jii-2). Luceros filed their Notice of Appeal
19 with the court on August 24, 2021 (I-1).
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22 **16. Statement of Facts.**

23 Paisley and Cartar had lived with the Luceros’ since their birth as their
24 Mother was mostly living with the Luceros. *Tr3p162* The minor protected persons
25 are closely bonded with the Lucero family. At the start of this Guardianship, the
26 situation between the Parties was very different. Mother was 19 years old and had
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1 two (2) children. *Tr1p151* Paisley was two (2) years old and had lost her Father, TJ
2 McGrew to suicide on the date of her 1st birthday. *Tr3p149* This death was hard on
3 Mother and Paisley (and frankly on all of the Parties). Mother had then entered into
4 a relationship, with Kevin Ferguson, who is the Father of Cartar. Both Fathers were
5 known to have substance abuse issues and Mother was introduced to these drugs
6 through these relationships. *Tr3p18* The relationship with Kevin was turbulent with
7 him away in jail much of the time and Mother was left caring for both children.
8 *TR1p154* Being young and needing help she mostly relied on the Luceros and her
9 side of the family including her Mother, Shawn. *Tr1p151* The children were always
10 well cared for but the Luceros were not tolerant of Mother's involvement with any
11 drugs and her being gone for long periods of time. *TR3p163* Mother and the
12 Luceros had a period of time when there was conflict. *Tr2p302* The Luceros had
13 been Mother's guardians and Mother has been challenged with a learning disability.
14 *Tr3p101* Mother was dealing with significant loss after Paisley's father died, she
15 was young, just over 18, and the realization that being a Mother of two (2) young
16 children (one being an infant) was a full-time job, especially with no partner to share
17 in the responsibility. In her words, she 'panicked' and 'freaked out'. *Tr3p37*
18 Mother sought to get help from the paternal grandparents, who had been involved
19 on the periphery, especially the McGrews who did not believe Paisley was their
20 granddaughter until she was 8 or 9 months old. *Tr2p326*

1 Seeking respite and avoidance of conflict with the Luceros, Mother asked if
2 the McGrews and Ferguson's would care for the children while she left to put her
3 thoughts in order. *Tr3p37* This was a low point for Mother. *Id. at p38* Prior to the
4 death of Paisley's father, Mother had been doing well and holding down two (2)
5 different jobs. *Tr3p148*. In exchange for asking for a respite, the McGrews and
6 Ferguson's demanded that Mother sign paperwork consenting to a temporary
7 guardianship but explaining it to her (in their attorney's office) that it was only so
8 that they could obtain medical assistance if needed during her absence. *Tr3p39*
9 There were seven (7) other people including the attorney in the room. *Id.* They
10 jointly assured her 'that they would never take the children from her'. Mother
11 testified that she signed the consent under significant pressure (duress) and that she
12 did not understand that they were seeking anything beyond permission to get
13 medical help for the children if required while she was gone. *Id.* She testified that
14 she ask the attorney, ". .over and over what is this that I'm signing and what does it
15 mean?" *Id.* He told her "it was nothing but a paper, that if I was not there, that they
16 can still get medical care for my babies". *Id.*

17
18 Worse yet, the McGrews and the Fergusons, then took Mother to the train
19 station and put her on a train to Stockton, California, and paid her between \$40 - 20.
20 *Tr3p40, Tr1p156* The explanation provided was that the McGrews and the
21 Fergusons were only doing what Mother had asked for; but the reality is that Mother

1 was grieving, confused, and seeking respite. If they had inquired, they would have
2 learned that she knew no one in Stockton, California, nor did she have a viable plan
3 or know anyone living there. *Tr3p40* Both families knew that Mother was not in
4 her right mind and/or understanding the situation given the significant stress she
5 was under. The McGrews and the Fergusons, took advantage of Mother at a
6 vulnerable time and then they took her children.
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9 No one has claimed that at that moment, the children were in poor shape or
10 that Mother was incapable of caring for the children. In fact, while she admits to
11 being under significant stress and panicked – she first arranged for her children to
12 be well cared for. *Tr3p38-39*. Mother testified that she had been providing for their
13 needs and was just seeking some time off to get her head straight. The Luceros’
14 became aware of all of this activity when a woman, they did not know, called them
15 from Stockton, California, to tell them that their Granddaughter was sleeping in her
16 garage. *Tr3p140* The Luceros’ traveled to Stockton and retrieved Mother,
17 returning her to Elko. *Tr3p40* That is when they learned of the Guardianship and
18 Mother’s supposed ‘consent’ to it. Mother indicated that she was pressured to sign
19 it and that she wanted her children back in the care of Luceros. *Tr3p41* Mother
20 tried to revoke her consent to the McGrews and Fergusons upon her return. *Id.* The
21 Luceros then filed for guardianship to bring the children home.
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1 The drama of how these competing guardianships got started is important
2 here, because it relates to why the Luceros have lingering resentment, especially to
3 the McGrews, who they felt had orchestrated the ploy. *Tr3p140* The Luceros see
4 the initial actions, not as being done for the best interest of the minor protected
5 persons or for Mother's well-being, but rather as a blatant attempt to take the
6 children from Mother and to physically remove her from the area.
7

8
9 Mother seeing the temporary Guardianship granted and not having the burden
10 of child care, and being frustrated with the conflict between the grandparents, then
11 withdrew and stayed away. *Tr3p44*. She started a new relationship and in early
12 2020 gave birth to another girl, Mayce, with a new Father. *Tr3p49-50* Now, with
13 the responsibility again to raise a child, Mother settled down and with the Lucero's
14 assistance, is caring for this child. In March 2021, she had been living with the
15 Luceros for several months and was pregnant again. *Id.* The Father of Mayce and
16 the new one, is an involved father, and now providing Mother with financial and
17 emotional support. They just had their second child together, another girl,
18 Annabelle, born on May 29, 2021. (*A-11*)
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23 Mother is sober and is doing well. Testimony from both professionals
24 involved in the case, Paisley's counselor, Geri Goddard, and the family advocate,
25 Janell Anderson, indicated that the objective in regards to the minor protected
26 persons should be to reunify them with Mother. *Tr3p15, Tr3p63* Mother is bonded
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1 with all of her children and the District Court heard testimony about how close both
2 Paisley and Cartar are to their little sister, Mayce. *Tr3p45, Trp61, Trp93* Given the
3 final Guardianship order (*E-1*) Paisley has only briefly met her new baby sister,
4 Annabelle, and Cartar has not met his new little sister. In fact, as provided to the
5 District Court, there has been almost no visitation between the Luceros or Mother
6 with Paisley and Cartar since May because of denials for visitation by Ms. McGrew
7 who has demanded that all requests for visits be sent to her (including visits with
8 Cartar. (*H-2*) This despite the McGrews indicating to the Court that the Luceros and
9 Mother would have regular visitation. *Tr2p337*

10
11 The three (3) year temporary Co-Guardianship has allowed Mother time to
12 mature and the minor protected persons to get to know their paternal grandparents.
13 Testimony was provided that the parenting styles between, especially the Luceros
14 and McGrews, was significantly different and that it was causing stress for
15 specifically, Paisley. *Tr3p10, Tr3p61* Ms. Goddard, testified that the exchanges
16 were difficult for Paisley and that while she was benefitting from contact with both
17 sets of Grandparents, her perceived home was with the Luceros. *Tr3p61* It was the
18 Counselor's concern with the use of a 'spanking spoon' and bruising on Paisley
19 along with the child's disclosures to both the Counselor and the Division of Child
20 and Family ("DCFS") Investigator, Brenda Kelley-Brace, that led to brief pause in
21 the week-on/week-off exchange schedule and a direct order from the Court that all

1 such physical discipline cease.(C-2) Sadly, the DCFS investigator never even
2 interviewed the Counselor who the child had also disclosed to but instead
3 interviewed the McGrew's pastor. *Tr1p58* Ms. Goddard testified that Paisley
4 repeatedly disclosed that Ms. McGrew (specifically) was "mean" to her and angry
5 with her. *Tr2p200*
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8 The Lucero's were actively involved in meeting the needs of Paisley and
9 getting outside help from medical providers (the Pediatrician and Dietician) and for
10 Carter (through NEIS and the Shriner's Hospital). *TR3p85-91, Tr3p97-98* The
11 District Court has expressed concern that this occurred just prior to the March 2021
12 hearing, when it had been scheduled for months and the actual appointment was in
13 January 2021. (A-11) While they acknowledged difficulty in the relationship with
14 the McGrews, they were fond of all of the parties; and there was evidence where
15 Ms. McGrew and Ms. Lucero were able to cooperate for the benefit of Paisley: a
16 joint visit to the Pediatrician *Tr3p85*; telephone calls about Paisley's braid being cut
17 off, flowers being delivered on Mother's day *Tr2p250*, etc.
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22 In the Lucero proposed order, as was directed by the District Court, the
23 Luceros provided a proposed visitation plan for the children to maintain the bond
24 build during this temporary guardianship. (A-10) No real plan was provided in the
25 final order. (E-1)
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1 Mother has participated in the majority of every guardianship hearing and
2 has repeatedly asked that the children be returned to her care and if not left with the
3 Lucero's. Mother submitted a letter to the Court per Request of Judge. (A-9).The
4 only other available parent is Kevin Ferguson, Cartar's dad, who attended one (1)
5 hearing. At the hearing, Vickie Ferguson was testifying about how good Kevin was
6 doing now that he was sober and living with them. A drug test was requested and
7 Kevin tested positive for Methamphetamine, indicating his drug use was continuing
8 despite several criminal charges and time in jail, and that his Grandmother, Vickie,
9 was unable to discern when he was high. *Tr1p173* Vickie is not healthy and
10 struggles to be able to even pick up the child and is using oxygen at all times.
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15 *Tr2p254-255*

16 On the first day of the the 3-day hearing, the District Court spent a significant
17 amount of time on possible Attorney conflicts and how to handle a document from
18 a five(5) year old closed 432B case and a subpoena issued without but notice to
19 opposing counsel. *Tr1p121-135*. Then on the last day, the child's attorney
20 requested another in-camera review of the complete DCFS files as to any of the
21 parties. Despite appellants' objective expressing hearsay and due process concerns,
22 the District Court agreed and ordered that such documents be produce for her eyes
23 only. *Tr3p172 – 180*. This review only affected the Luceros, per Respondent's
24 witness from DCFS, Lori Morehead who testified that there were no other records
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1 for the other guardians (except the spanking spoon incident), only reports for the
2 Luceros. *Tr1p101* The lack of findings in the final order (especially as to the
3 children's best interest) make it unclear how much bias against the Luceros was
4 included in the reviewed record – bias which the Luceros were unable to address
5 other than pointing out that DCFS repeatedly placed children back in their care. (*E-*
6 *1*)The Court did make a finding that the Luceros lied to law enforcement, when that
7 was not supported in the record, and vehemently denied. The Court also states that
8 Ms Lucero was convicted of various crimes, which also was not supported in the
9 record, other than a crime occurring over 50 years ago (and not involving children).
10 *Tr3p153* Ms. Lucero testified that she has never even spent a night in jail. *Id.* The
11 Court did refer to a Bankruptcy that the Luceros had gone through, and disclosed in
12 their Petition, but that was over seven (7) years ago and due to crushing medical
13 debt associated with a horse riding accident. *Id.*

14
15 How much of the errors included in the Court order are attributed to the
16 review of a banker box worth of material – all hearsay is unclear, but the Order, as
17 written, also does not adequately address the best interest of the minor children, and
18 needs to be overturned.

19 **17. Issues on Appeal**

20
21 **A. Whether the District Court erred in allowing for an in-**
22 **camera review of the complete DCFS file which includes staff**
23 **notes and impressions without allowing for the parties to be**
24

1 adequately heard on the issues raised?

2
3 **B. Whether the District Court failed to consider the children's**
4 **best interest when it decided to divide the children into two**
5 **separate homes without any plan for sibling contact with each**
6 **other or the two other siblings being raised by Mother.**

7 **C. Whether the District Court's accurately determined**
8 **whether the Lucero's interest were adequately protected by**
9 **allowing both the Respondent's attorney and the children's**
10 **attorney to stay on the case despite previous involvement in cases**
11 **involving the Luceros**

12 **18. Legal Argument, including authorities.**

13 **A. Whether the District Court erred in allowing for an in-**
14 **camera review of the complete DCFS file which includes**
15 **staff notes and impressions without allowing for the parties**
16 **to be adequately heard on the issues raised?**

17 Hearsay is defined as is an out-of-court statement offered to provide the truth
18 of whatever [A1]it asserts and is typically not allowed to be used as evidence in a
19 trial. There are exceptions but none that apply herein. The DCFS records are clearly
20 hearsay and in this case, despite appellates' counsel objection, the Court reviewed
21 these files (a whole banker boxfull) without any ability for Appellants to respond.
22 This was kind of 'secret' hearsay and to the extent it had any impact whatsoever in
23 the final order – this review was wrong and patently unfair to the Luceros. While
24 it was indicated that this review would apply to all of the proposed guardians – the
25 DCFS manager that testified had already indicated that only the Luceros had files

1 other than the one instance the McGrews had an investigation based on the spanking
2 incident involving Paisley by Ms. McGrew.
3

4 The in camera review and lack of reporting out, robbed the Lucero's of a
5 meaningful right of due process protected both in the Nevada and US Constitution.
6

7 **B. Whether the District Court failed to consider the children's**
8 **best interest when it decided to divide the children into two**
9 **separate homes without any plan for sibling contact with each**
10 **other or the two other siblings being raised by Mother.**

11 NRS 159A.061 provides that the parents of a proposed protected minor, or
12 either parent, if qualified and suitable, are preferred over all others for appointment
13 as guardian for the person or estate or person and estate of the proposed protected
14 minor.
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17 Here, we had a situation that upon the grant of a temporary guardianship a
18 need for the guardianship existed even as shown in Mother's consents to both sets
19 of grandparents in order for her to head straight. Then evidence was provided that
20 the minor protected persons were no longer in need of a guardianship because
21 Mother was sober; acting responsibly; and, able to care for her other child, her
22 significant other's child and was taking care of her unborn child. The two
23 professionals involved in the case, both advocated for the guardianship's focus to
24 change on supporting Mother to be able to take custody of her children. Likewise,
25 the Luceros' advocated for the same; and, presented the only Guardianship option
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1 that would allow Mother to move into a full custody arrangement and keep the
2 siblings together.
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4 The court did not address this, nor the other best interest factors outlined by
5 the Nevada legislature; and in fact, seemed to believe that a grant of guardianship
6 to the paternal grandparents would resolve the conflict between the Parties. The
7 Court, apparently, relied on the direct testimony of both Ms. McGrew and Ms.
8 Ferguson, that visitations between Mother and the Luceros with the children would
9 be liberally granted. No such visitation has occurred (as the Court was advised in
10 the Motion for Reconsideration) and the conflict is higher than ever. Only the
11 Lucero's offered a plan to ensure the other grandparents remained bonded with the
12 children. This Court regularly requires a District Court to make specific best
13 interest findings and the District Court, here, failed to make such findings in its
14 order.
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19 **C. Whether the District Court's accurately determined**
20 **whether the Lucero's interest were adequately protected by**
21 **allowing both the Respondent's attorney and the children's**
22 **attorney to stay on the case despite previous involvement in cases**
23 **involving the Luceros**

24 The Court in Waid v. 8th Judicial Dist. Ct., adopted a three-part test to
25 determine if a former and present matter are substantially related:
26

27 "(1) make a factual determination concerning the scope of the
28 former representation, (2) evaluate whether it is reasonable to infer
that the confidential information allegedly given would have been

1 given to a lawyer representing a client in those matters, and (3)
2 determine whether that information is relevant to the issues raised in
3 the present litigation.”

4 *Waid v. Dist. Ct.*, 119 P.3d 1219, 121 Nev. 605 (2005)

5 Here, Judge Porter looked at *Waid* and determined that the Juvenile case
6 handled by Attorney Gerber was not substantially related and yet his representation
7 of their grandson, who the Lucero's were raising, and its companion 432B case,
8 set the tenor of the trial and were the basis of the inquiry into DCFS actions against
9 the Luceros. Similarly, Attorney Rodriquez's involvement in the 432B actions and
10 investigations also illicited the requested 'in camera' review of DCFS unity notes
11 and files. The fact that DCFS staff were bias against the Luceros' was evident in
12 just how the DCFS investigator spent time talking about how chaotic the Lucero's
13 home was in comparison to the McGrews home when there was actually only 2
14 less people at the McGrews home (7 vs. 5); and, how instead of talking with the
15 mandatory reporter of Paisley's injury, the investigator chose to speak with the
16 McGrew's pastor. To really address the issues raised in Attorney Gerber's
17 previous juvenile case would have required putting the alleged victim (who has
18 recanted her story) and his client on the stand. The attorneys' involvement in the
19 past, made this a trial not about Paisley and Cartar's best interest but instead
20 became a new trial on past allegations against the Luceros' with the Luceros' being
21 unable to adequately defend themselves.
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28 The Luceros believe the finding that the attorneys involved were not

1 conflicted was an error and not a harmless error.

2 **19. Issues of First Impression or of important public interest.**

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4 Issues of Conflict of Interest are always of important public interest and in
5 this case, Appellant's believe that the conflicts so inflicted the case, that the children
6 did not receive neutral representation, and unfairly tilted the case away from the
7 important issue at hand – the best interest of the minor protected persons.
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9
10 Several witnesses commented how similar this actions was to a custody battle
11 and yet the same requirement for specific findings as to the best interest of the
12 children are not present in the District Courts' order. Appellants believe the Court's
13 requirement of the same in custody matters should also apply to contested
14 guardianships of minors.
15

16
17 While NRS Chapter 432B allows for an in camera review of confidential
18 documents, to not provide a report out of the Court's conclusion based on the review,
19 fundamentally and unfairly affected Appellants due process rights and needs this
20 Court's attention to right a wrong.
21

22 **20. Statement of Assignment**

23
24 Appellants believe that this case should be heard by the Nevada Court of
25 Appeals because while involving a guardianship it is most similar to a Family law
26 case pursuant to NRAP Rule 17(b)(10).
27
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VERIFICATION

1. I hereby certify that this fast track statement complies with the formatting requirements of NRAP 32(a)(4), the typeface requirements of NRAP 32(a)(5), and the type style requirements of NRAP 32(a)(6) because this statement has been prepared in a proportionally spaced typeface using Microsoft Word 2013 in Times New Roman font in 14 point font size.

2. I further certify that this fast track statement complies with the page or type volume limitations of NRAP 3E(e)(2) because it is proportionally spaced and contains 4648 words.

3. Finally, I recognize that under NRAP 3E I am responsible for timely filing a fast track statement and that the Supreme Court of Nevada may impose sanctions for failing to timely file a fast track or failing to raise issues or arguments in the fast track statement. I therefore certify that the information provided in this fast track statement is true and complete to the best of my knowledge, information and belief.

DATED this 25th day of October, 2021.

AMENS LAW, Ltd.



Debra M. Amens, Esq.
Nevada Bar No. 12681
Attorney for Appellants