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3 P.O. Box 488, Battle Mountain, NV 89820
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5 Email: debra@amenslawfirm.com
6 *The undersigned affirms that this document contains no*
7 *Social Security Numbers pursuant to NRS 239B.030*

Electronically Filed
Oct 29 2021 02:12 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

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

JOINT APPENDIX
VOLUME IV

15
16 Pursuant to NRAP 3E(d)(1), 3E(d)(4) and this Court's order dated July 21,
17 2021, following is Appellant's Appendix in support of their Fast Track Statement.
18
19 Parties met and conferred and agreed to file this as a joint appendix.

20
21 DATED this 27th day of October, 2021.

22
23 AMENS LAW, Ltd.

24 

25
26 Debra M. Amens, Esq.
27 Nevada Bar No. 12681
28 *Attorney for Appellants*

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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that I work for AMENS LAW, LTD,
and that on the 27th day of October, 2021, I served a copy of the Joint Appendix
by delivering a true and correct copy of same in a sealed envelope with a C.D.,
properly addressed via first class mail, with postage thereon fully prepaid to the
following:

GERGER LAW OFFICE
TRAVIS GERBER, ESQ.
491 4th Street
Elko, Nevada 89801
Attorney for Respondents

HILLEWAERT LAW OFFICE
DIANA HILLEWAERT, ESQ.
575 5th Street
Elko, Nevada 89801
Attorney for Children



HEATHER ANDERSEN, Paralegal

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1 CASE NO. P2-60-18-49

2 DEPT. NO. 1

3 AFFIRMATION:

4 Pursuant to NRS 239B.030 this document
5 does not contain a social security number.

FILED

2018 APR 13 P 3:56

ELKO CO. DISTRICT COURT
CLERK DEPUTY

6 IN THE FOURTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

7 IN AND FOR THE COUNTY OF ELKO

8 IN THE MATTER OF THE GUARDIANSHIP
9 OF THE PERSON AND ESTATE OF
10 CARTAR THOMAS FERGUSON,

PETITION FOR APPOINTMENT OF
GENERAL GUARDIANS

11 Minor Protected Person. /

12 COMES NOW, Petitioners, DONALD WILLIAM FERGUSON and VICKY LYNNE
13 FERGUSON, by and through their attorney, TRAVIS W. GERBER, ESQ., of GERBER LAW
14 OFFICES, LLP, and hereby petition this Honorable Court to be appointed Guardians over the person
15 and estate of CARTAR THOMAS FERGUSON, based on the following facts:

16 1. Petitioners, DONALD WILLIAM FERGUSON and VICKY LYNNE FERGUSON
17 are married and are the maternal grandparents of CARTAR THOMAS FERGUSON. Petitioners
18 currently reside at 242 Blakeland Drive, Spring Creek, Nevada 89815

19 2. The proposed Protected Person CARTAR THOMAS FERGUSON, is one (1)
20 year of age, having been born on January 17, 2018, in Elko Nevada. The proposed Protected Person
21 is physically present in the State of Nevada in the custody of his mother.

22 3. The proposed Protected Person is in need of guardianship of his person and estate
23 because his father, KEVIN THOMAS FERGUSON, is incarcerated in the Elko County Jail on drug
24 charges and his mother, KRISTIN NICOLE STONE, left to California to seek rehabilitation for
25 addiction to methamphetamine and left CARTAR THOMAS FERGUSON in the care of
26 Petitioners. See Exhibit A. Guardianship is necessary to provide supervision, care, support and
27
28

education for the proposed Protected Person. The proposed Protected Person will not be in need of guardianship after he attains the age of majority.

4. A Confidential Information Sheet Submitted Under Seal is filed contemporaneously herewith showing the social security card of the proposed Protected Person.

5. **DONALD WILLIAM FERGUSON and VICKY I**

maternal grandparents are fit and proper persons to serve as guardian

and provide for the welfare of the proposed Protected Person inclu

shelter, medical, school, medical insurance and anything else CART

needs.

6. The names and addresses of the relatives of the proposed Protected Person within the second degree of consanguinity are as follows:

<u>NAME AND ADDRESS</u>	<u>RELATIONSHIP</u>	<u>AGE</u>
Kevin Thomas Ferguson Elko County Jail 775 W Silver Street Elko, Nevada 89801	Natural Father	Adult
Kristin Nicole Stone 200 Viewcrest Drive Spring Creek, Nevada 89815	Natural Mother	Adult
Shawn Stone 200 Viewcrest Drive Spring Creek, Nevada 89815	Maternal Grandmother	Adult
Unknown	Maternal Grandfather	Adult
Paisley Grace Stone c/o Kristin Nicole Stole 778 Eastlake Drive Spring Creek, Nevada 89815	Half-Sister	Minor (age 3)

7. The names, dates of birth, and address of the proposed General Guardians of the person and estate of the proposed Protected Person are:

Names:	DOB:	Address:
DONALD WILLIAM FERGUSON	2/26/62	242 Blakeland Drive, Spring Creek, NV 89815
VICKY LYNNE FERGUSON	12/24/58	242 Blakeland Drive, Spring Creek, NV 89815

1 8. A copy of the drivers licenses of the proposed General Guardians are attached to the
2 Confidential Information Sheet Submitted Under Seal filed contemporaneously herewith.

3 9. The proposed General Guardians have never been convicted of a felony.

4 10. At this time, the proposed Protected Person does not own any property or assets other
5 than his personal belongings. Pursuant to NRS 159.076, the court may grant a summary
6 administration if, at any time, it appears to the court that after payment of all claims and expenses of
7 the guardianship the value of the protected person's property does not exceed \$10,000.00. The estate
8 of **CARTAR THOMAS FERGUSON** does not exceed \$10,000.00; therefore, the court may
9 dispense with annual accountings.

10 11. Petitioners are competent and capable of acting as General Guardians of the person
11 and estate of **CARTAR THOMAS FERGUSON** and hereby consent to act in that capacity.

12 12. This guardianship is not sought as a result of an investigation of a report of abuse or
13 neglect that is conducted pursuant to chapter 432B of NRS by an agency which provides child welfare
14 services.

15 13. The proposed Protected Person and the proposed Guardians are not party to any
16 pending criminal or civil litigation.

17 14. The guardianship is not sought for the purpose of initiating litigation.

18 15. The proposed guardians are not currently receiving compensation for services.

19 16. The proposed guardians haven't filed for or received protection under the federal
20 bankruptcy laws within the immediately preceding 7 years.

21 WHEREFORE, Petitioners pray as follows:

22 A. That a time and place be set for a hearing on this *Petition*;

23 B. That this Honorable Court enter its Order Appointing Petitioners as General
24 Guardians of the person and estate of **CARTAR THOMAS FERGUSON**.

25 C. Dispense with annual accountings, pursuant to NRS 159.076, as the
26 protected person's property does not exceed \$10,000.00.

27

28

1 D. For such other and further relief as the Court may deem just and proper in the
2 premises.

3 DATED this 13th day of April, 2018.

4 Donald William Ferguson
5 DONALD WILLIAM FERGUSON, Petitioner

6 Vicky Lynne Ferguson
7 VICKY LYNNE FERGUSON, Petitioner

8 GERBER LAW OFFICES, LLP

9 Travis W. Gerber
10 TRAVIS W. GERBER, ESQ.

11 Nevada State Bar #8083

12 491 4th Street

13 Elko, Nevada 89801

14 775-738-9258

15 ATTORNEY FOR PETITIONERS

16 **VERIFICATION AND OATH**

17 STATE OF NEVADA,)
18 :SS.
19 COUNTY OF ELKO)

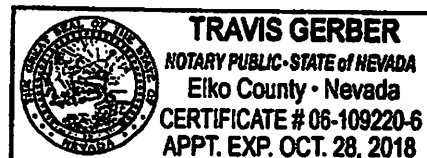
20 Under penalties of perjury, the undersigned declare that they are the Petitioners named in the
21 foregoing *Petition for Appointment of General Guardians* and know the contents thereof; that the
22 pleading is true of their own knowledge, except as to those matters stated on information and belief,
23 and that as to such matters they believe it to be true:

24 Donald William Ferguson
25 DONALD WILLIAM FERGUSON

26 Vicky Lynne Ferguson
27 VICKY LYNNE FERGUSON

28 Subscribed and sworn to before me
by DONALD WILLIAM FERGUSON and
VICKY LYNNE FERGUSON
this 13th day of April, 2018.

Travis W. Gerber
NOTARY PUBLIC



GERBER LAW OFFICES, LLP

491 Fourth Street
Elko, Nevada 89801
Ph. (775) 738-9258

A-A0348

EXHIBIT A

I Kristin Stone give vicky
permission to get Cartar Ferguson
the medical help he needs, and
to be able to attend his Doctor
appointments, when in her care,
with Stone

~~Cartar~~

~~Cartar~~

I left Cartar Ferguson
in vicky, Don Ferguson care
While I was out of State
I give vicky Ferguson permission
to care for Cartar while
in Rehab.

[Signature]

1 CASE NO. PR-GU-18-56

2 DEPT. NO. 1

3 AFFIRMATION:

4 Pursuant to NRS 239B.030 this document
5 does not contain a social security number.

FILED

2018 APR 20 P 3:56

ELKO CO. DISTRICT COURT
CLERK _____ DEPUTY JA

6 IN THE FOURTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

7 IN AND FOR THE COUNTY OF ELKO

8
9 IN THE MATTER OF THE GUARDIANSHIP
10 OF THE PERSON AND ESTATE OF
11 PAISLEY GRACE STONE,

PETITION FOR APPOINTMENT OF
GENERAL GUARDIANS

Minor Protected Person.

12 COMES NOW, Petitioners, JOHN ADAM MCGREW and MARIA DANIELLE
13 MCGREW, by and through their attorney, TRAVIS W. GERBER, ESQ., of GERBER LAW
14 OFFICES, LLP, and hereby petition this Honorable Court to be appointed Guardians over the person
15 and estate of PAISLEY GRACE STONE, based on the following facts:

16 1. Petitioners, JOHN ADAM MCGREW and MARIA DANIELLE MCGREW are
17 married and are the paternal grandparents of PAISLEY GRACE STONE. Petitioners currently
18 reside at 563 Shadybrook Drive, Spring Creek, Nevada 89815

19 2. The proposed Protected Person PAISLEY GRACE STONE, is one (1) year of age,
20 having been born on May 26, 2016, in Elko Nevada. The proposed Protected Person is physically
21 present in the State of Nevada and in is in the care of Petitioners.

22 3. The proposed Protected Person is in need of guardianship of his person and estate
23 because her father, TIMOTHY JOHN MCGREW, is deceased, and her mother, KRISTIN NICOLE
24 STONE, is unable to care for PAISLEY GRACE STONE and has left her in the care of Petitioners.
25 KRISTIN NICOLE STONE has signed a Consent to Guardianship which shall be filed
26 contemporaneously herein. Guardianship is necessary to provide supervision, care, support and
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1 education for the proposed Protected Person. The proposed Protected Person will not be in need of
2 guardianship after she attains the age of majority.

3 4. **JOHN ADAM MCGREW** and **MARIA DANIELLE MCGREW** are the paternal
4 grandparents and are fit and proper persons to serve as guardians and will financially support and
5 provide for the welfare of the proposed Protected Person including but not limited to food, shelter,
6 medical, school, medical insurance and anything else **PAISLEY GRACE STONE** needs.

7 5. The names and addresses of the relatives of the proposed Protected Person within the
8 second degree of consanguinity are as follows:

<u>NAME AND ADDRESS</u>	<u>RELATIONSHIP</u>	<u>AGE</u>
Kristin Nicole Stone 200 Viewcrest Drive Spring Creek, Nevada 89815	Natural Mother	Adult
Shawn Stone 200 Viewcrest Drive Spring Creek, Nevada 89815	Maternal Grandmother	Adult
Jason Stone Unknown	Maternal Grandfather	Adult
Cartar Thomas Ferguson c/o Kristin Nicole Stone 778 Eastlake Drive Spring Creek, Nevada 89815	Half-Brother	Minor (age 1)

18 6. The names, dates of birth, and address of the proposed General Guardians of the
19 person and estate of the proposed Protected Person are:

Names:	DOB:	Address:
JOHN ADAM MCGREW	1/13/1966	563 Shadybrook Drive Spring Creek, NV 89815
MARIA DANIELLE MCGREW	5/6/1970	563 Shadybrook Drive Spring Creek, NV 89815

23 7. A copy of the drivers licenses of the proposed General Guardians are attached to the
24 Confidential Information Sheet Submitted Under Seal filed contemporaneously herewith.

25 8. The proposed General Guardians have never been convicted of a felony.

26 9. At this time, the proposed Protected Person does not own any property or assets other
27
28

1 than his personal belongings. Pursuant to NRS 159.076, the court may grant a summary
2 administration if, at any time, it appears to the court that after payment of all claims and expenses of
3 the guardianship the value of the protected person's property does not exceed \$10,000.00. The estate
4 of **PAISLEY GRACE STONE** does not exceed \$10,000.00; therefore, the court may dispense with
5 annual accountings.

6 10. Petitioners are competent and capable of acting as General Guardians of the person
7 and estate of **PAISLEY GRACE STONE** and hereby consent to act in that capacity.

8 11. This guardianship is not sought as a result of an investigation of a report of abuse or
9 neglect that is conducted pursuant to chapter 432B of NRS by an agency which provides child welfare
10 services.

11 12. The proposed Protected Person and the proposed Guardians are not party to any
12 pending criminal or civil litigation.

13 13. The guardianship is not sought for the purpose of initiating litigation.

14 14. The proposed guardians are not currently receiving compensation for services.

15 15. The proposed guardians haven't filed for or received protection under the federal
16 bankruptcy laws within the immediately preceding 7 years.

17 WHEREFORE, Petitioners pray as follows:

18 A. That a time and place be set for a hearing on this *Petition*;

19 B. That this Honorable Court enter its Order Appointing Petitioners as General
20 Guardians of the person and estate of **PAISLEY GRACE STONE**.

21 C. Dispense with annual accountings, pursuant to NRS 159.076, as the
22 protected person's property does not exceed \$10,000.00.

23 D. For such other and further relief as the Court may deem just and proper in the
24 premises.

1 DATED this 19th day of April, 2018.

2 
JOHN ADAM MCGREW, Petitioner

3
4 
MARIA DANIELLE MCGREW, Petitioner

5
6 GERBER LAW OFFICES, LLP

7 
TRAVIS W. GERBER, ESQ.

8 Nevada State Bar #8083

9 491 4th Street

10 Elko, Nevada 89801

775-738-9258

ATTORNEY FOR PETITIONERS

11 **VERIFICATION AND OATH**

12 STATE OF NEVADA,)
:SS.

13 COUNTY OF ELKO)

14
15 Under penalties of perjury, the undersigned declare that they are the Petitioners named in the
16 foregoing *Petition for Appointment of General Guardians* and know the contents thereof; that the
17 pleading is true of their own knowledge, except as to those matters stated on information and belief,
and that as to such matters they believe it to be true:

18 
19 JOHN ADAM MCGREW

20 
21 MARIA DANIELLE MCGREW

22 Subscribed and sworn to before me
23 by JOHN ADAM MCGREW and
24 MARIA DANIELLE MCGREW
this 19th day of April, 2018.

25 
26 NOTARY PUBLIC



28 GERBER LAW OFFICES, LLP

491 Fourth Street
Elko, Nevada 89801
Ph. (775) 738-9258

A-A0353

1 CASE NO. PR-G4-18-56

2 DEPT. 1

FILED

2018 APR 20 P 3 57

ELKO CO. DISTRICT COURT
CLERK _____ DEPUTY *AK*

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6 IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
7 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO
8

9 IN THE MATTER OF THE GUARDIANSHIP
10 OF THE PERSON AND OF THE ESTATE OF

11 PAISLEY GRACE STONE,

12 Minor child.
13

NATURAL MOTHER'S CONSENT
TO GUARDIANSHIP

14 I, KRISTIN NICOLE STONE, the natural mother of the above-named minor child, do
15 hereby consent to the appointment of JOHN ADAM McGREW and MARIA DANIELLE
16 McGREW to serve as Guardians of the person and estate of my son, PAISLEY GRACE STONE,
17 and I request that Letters of Guardianship issue to JOHN ADAM McGREW and MARIA
18 DANIELLE McGREW forthwith.

19 DATED this 19th day of April, 2018.

20
21 *Kristin Stone*
22 KRISTIN NICOLE STONE

23 SUBSCRIBED AND SWORN to before
24 me this 19th day of April, 2018 by
25 KRISTIN NICOLE STONE.

26 *Jennifer Puentes*
27 NOTARY PUBLIC



JENNIFER PUENTES
NOTARY PUBLIC-STATE of NEVADA
Elko County - Nevada
CERTIFICATE # 16-2104-6
APPT. EXP. APRIL 07, 2020

28 GERBER LAW OFFICES, LLP
491 Fourth Street
Elko, Nevada 89801
Ph. (775) 738-9258

A-A0354

1 CASE NO. PR-64-18-56

2 DEPT. 1

FILED

2018 APR 20 P 3 57

ELKO CO. DISTRICT COURT
CLERK DEPUTY *fa*

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6 IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
7 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO

8
9 IN THE MATTER OF THE GUARDIANSHIP
10 OF THE PERSON AND OF THE ESTATE OF

11 PAISLEY GRACE STONE,

12 Minor child.

NATURAL MOTHER'S CONSENT
TO GUARDIANSHIP

13 I, KRISTIN NICOLE STONE, the natural mother of the above-named minor child, do
14 hereby consent to the appointment of JOHN ADAM McGREW and MARIA DANIELLE
15 McGREW to serve as Guardians of the person and estate of my son, PAISLEY GRACE STONE,
16 and I request that Letters of Guardianship issue to JOHN ADAM McGREW and MARIA
17 DANIELLE McGREW forthwith.

18
19 DATED this 19th day of April, 2018.

20
21 *Kristin Stone*
22 KRISTIN NICOLE STONE

23
24 SUBSCRIBED AND SWORN to before
me this 19th day of April, 2018 by
25 KRISTIN NICOLE STONE.

26 *Jennifer Puentes*
27 NOTARY PUBLIC



JENNIFER PUENTES
NOTARY PUBLIC - STATE of NEVADA
Elko County - Nevada
CERTIFICATE # 16-2104-6
APPT. EXP. APRIL 07, 2020

28 GERBER LAW OFFICES, LLP
491 Fourth Street
Elko, Nevada 89801
Ph. (775) 738-9258

1 CASE NO. PR-60-18-49

2 DEPT. 1

49

FILED

2018 APR 20 P 3 54

ELKO CO. DISTRICT COURT
CLERK DEPUTY *[Signature]*

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6 IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
7 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO
8

9 IN THE MATTER OF THE GUARDIANSHIP
10 OF THE PERSON AND OF THE ESTATE OF

11 CARTAR THOMAS FERGUSON,

NATURAL MOTHER'S CONSENT
TO
GUARDIANSHIP

12 Minor child.
13

14 I, KRISTIN NICOLE STONE, the natural mother of the above-named minor child, do
15 hereby consent to the appointment of DONALD WILLIAM FERGUSON and VICKY LYNNE
16 FERGUSON to serve as Guardians of the person and estate of my son, CARTAR THOMAS
17 FERGUSON, and I request that Letters of Guardianship issue to DONALD WILLIAM
18 FERGUSON and VICKY LYNNE FERGUSON forthwith.
19

20 DATED this 19th day of April, 2018.

21 *[Signature: Kristin Nicole Stone]*
22 KRISTIN NICOLE STONE
23

24 SUBSCRIBED AND SWORN to before
25 me this 19 day of April, 2018 by
26 KRISTIN NICOLE STONE.

27 *[Signature: Jennifer Puentes]*
28 NOTARY PUBLIC



GERBER LAW OFFICES, LLP
491 Fourth Street
Elko, Nevada 89801
Ph. (775) 738-9258

A-A0356

DEBRA M. AMENS, ESQ.
Amens Law, Ltd.
Nevada Bar No. 12681
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Email: debra@amenslawfirm.com

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

FILED

2018 MAY 22 PM 1:04

ELKO CO DISTRICT COURT

CLERK _____ DEPUTY 

IN THE FOURTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF ELKO

CASE NO. **PR-GU-18-67**
DEPT NO. **1**

IN THE MATTER OF THE GUARDIANSHIP
OF THE PERSON AND ESTATE OF
PAISLEY GRACE STONE, DOB 5/27/16, and
CARTAR THOMAS FERGUSON, DOB
1/17/18,

**EX PARTE EMERGENCY PETITION
FOR TEMPORARY APPOINTMENT OF
GUARDIAN OF PERSON AND ESTATE
OF MINOR WARD**

Minor Children.

COMES NOW, PAMELA LUCERO, as Petitioner, by and through her attorney,
Debra M. Amens, Esq., of AMENS LAW, Ltd., and, hereby petitions this Court on an Emergency
basis for an order appointing Petitioner as the Temporary Guardian of the Person and Estate of
PAISLEY GRACE STONE, a minor child, and CARTAR THOMAS FERGUSON (hereinafter
“Wards”). Petitioner applies for an immediate appointment due to the circumstances detailed
below:

1. PAMELA LUCERO (hereinafter “Petitioner”), is the Maternal Great
Grandmother of the proposed wards, PAISLEY GRACE STONE (hereinafter “proposed Minor
Ward” or “Paisley”), was born on May 27, 2016 and CARTAR THOMAS FERGUSON
(hereinafter “proposed Minor Ward” or “Cartar”) was born on January 17, 2018.

///

1 2. Petitioner has had the proposed wards living with her and her husband, MICHAEL
2 LUCERO, since they were born and they are closely bonded with both Paisley and Cartar.
3 Petitioner and her husband, MICHAEL LUCERO, also raised and were guardians of KRISTIN
4 STONE, the Natural mother of the proposed wards.
5

6 3. Petitioner and her husband, MICHAEL LUCERO, are residents of Elko County,
7 Nevada, living at 200 Viewcrest Drive, Spring Creek, Nevada 89801.

8 4. In early May, 2018, the proposed minor wards' natural Mother, KRISTIN
9 NICOLE was swayed, by an invitation for lunch, to go down to the law offices of Travis Gerber,
10 Esq. of GERBER LAW, and sign a consent to give temporary custody of the minor ward,
11 CARTER FERGUSON, to DONALD and VICKY FERGUSON, the Paternal Grandparents; and
12 temporary custody of the other minor ward, PAISLEY STONE, to JOHN and MARIA McGREW,
13 the Paternal Grandparents. The mother, KRISTIN NICOLE, has since revoked the consent, in
14 writing and advised the Paternal Grandparents and their counsel.
15

16 5. The Paternal Grandparents, DONALD and VICKY FERGUSON; and JOHN and
17 MARIA McGREW have filed for Guardianship of the minor wards separately. See case numbers
18 PR-GU-18-49 and PR-GU-18-56 respectively. The action herein is to stabilize the current status
19 quo so that Mother, KRISTIN NICOLE, will not take the minor wards/ children prior to the
20 hearing in the cases mentioned herein, scheduled for June 6, 2018.
21

22 6. Petitioner has no disagreement with giving the paternal grandparents, VICKY and
23 DONALD FERGUSON, visitation with the minor wards. However, the paternal grandparents,
24 JOHN and MARIA McGREW lost their son, the Natural Father of PAISLEY STONE, and have
25 been attempting to gain sole custody of Paisley since he died. On numerous occasions, they have
26
27
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1 come into Petitioner's home and "snatched" the children from the Petitioner. They have also used
2 inappropriate pressure and inducement of Mother to capitulate to their will.

3 7. KRISTIN NICOLE is mentally challenged, and after signing temporary custody
4 through the prompting of GERBER LAW who represents both the FERGUSONs and the
5 MCGREWs, was given a candy bar and bus ticket to an undisclosed location in California.
6 KRISTIN NICOLE knows no one in California.

7 8. As noted, PAMELA and MICHAEL LUCERO had guardianship of KRISTIN
8 NICOLE, their granddaughter, until she was 18 years old, and have successfully raised 13 other
9 children and grandchildren in their home over the years.

10 9. Mother, KRISTIN NICOLE, started using drugs at the age of 18, but following
11 the birth of her son, CARTAR FERGUSON, has been heavy into drugs. She is using
12 methamphetamine and marijuana and is completely out of control and hanging out with other
13 users. Petitioner is attempting to get her into drug rehab.

14 10. Petitioner and other family members are concerned that Mother, KRISTIN
15 NICOLE, can pick up Paisley and Carter at any time, and believe that they are not safe in her care
16 because she is willing to sign away her children to anyone.

17 11. Petitioner alleges pursuant to NRS 159.0523 that reasonable cause exists to believe
18 that the proposed Wards are unable to respond and lack capacity to address a substantial and
19 immediate risk of physical harm or to a need for immediate medical attention. Petitioner also
20 alleges that pursuant to NRS 159.0525 that reasonable cause exists to believe that the proposed
21 Wards are unable to respond to a substantial and immediate risk of financial loss.

22 12. Petitioner has information relating to the persons entitled to notice pursuant to
23 NRS 159.047 and will formally serve a copy of the *Ex Parte* Order for a Temporary Guardianship
24

1 to the proposed minor wards' known family along with a Citation to Appear at a hearing set on
2 the matter.

3 13. Petitioner also believes that due to Mother's current mental struggles and addiction
4 to illegal substances she lacks the capacity to continue to care for the Wards and in fact, the Wards
5 are not safe in her custody, nor is she making reasonable judgments or how and where the Wards
6 should be cared for.
7

8 14. Petitioner was convicted of a felony approximately 40 years ago, has never lost
9 licensure from any agency or board, has declared bankruptcy due to medical bills approximately
10 two (2) years ago, and is otherwise qualified to serve as a guardian.
11

12 15. Petitioner requests that the Court appoint her as the Guardian of the minor Wards.
13 without bond, pending a hearing on this Petition.

14 16. The names of the proposed minor wards' immediate family are as follows:

Mother:	KRISTIN STONE
Father of Paisley Stone:	DECEASED
Father of Cartar Ferguson:	KEVIN THOMAS FERGUSON
Paternal Grandparents:	JOHN & MARIA McGREW
Paternal Grandparents:	DONALD & VICKY FERGUSON
Maternal Grandmother:	SHAWN STONE
Maternal Great Grandparents:	PAMELA & MICHAEL LUCERO

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21 17. A copy of Petitioner's and the Wards' identification will be filed with the
22 Confidential Information Sheet.

23 **WHEREFORE**, Petitioner prays for this Court's Order as follows:

24 1. That Petitioner be appointed as the Temporary Guardian of the person and estate
25 of the Wards subject to an Emergency Hearing on the *Ex Parte* Petition.
26

27 2. That Petitioner be authorized and empowered to take custody and make all medical
28

1 and financial decisions for the Wards.

2 3. That no bond be required of the appointed Guardian.

3 4. That the Court finds that reasonable cause exists to believe that the proposed
4 Wards are unable to respond to a substantial and immediate risk of physical harm or to a need for
5 immediate medical attention, and that the Court find that the proposed Wards are unable to
6 respond to a substantial and immediate risk of financial loss.
7

8 5. That the Court finds that notification of persons, for the Petition of a temporary
9 order pursuant to NRS 159.047, is not feasible under these circumstances but that notice for a
10 hearing on a grant of Temporary Guardianship be required following adequate notice.
11

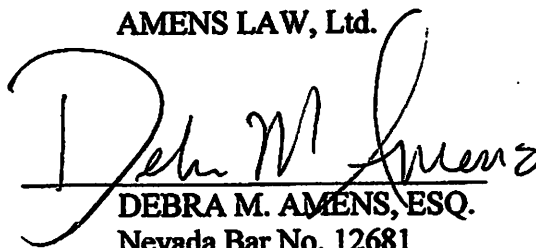
12 6. That the Court finds that the Wards' best interest is currently served by a grant of
13 temporary guardianship with Petitioner and that a hearing be set at the earliest convenience to
14 allow for interested parties to provide their input.

15 7. That the Court advise and instruct the Petitioner regarding the Wards' rights and
16 appointment of counsel.
17

18 8. For such other and further relief as the Court deems just and proper.
19

20 DATED this 22ND day of May, 2018.

21 AMENS LAW, Ltd.

22 
23
24 DEBRA M. AMENS, ESQ.
25 Nevada Bar No. 12681
26 Attorney for Petitioner
27
28

1
2
3
4 **VERIFICATION**

5 STATE OF NEVADA)
6)ss.
7 COUNTY OF ELKO)
8

9 COMES NOW, PAMELA LUCERO, as Petitioner herein, being first duly sworn, depose
10 and says:

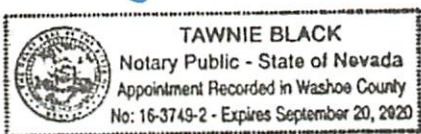
11 That that she has read the foregoing **EX PARTE EMERGENCY PETITION FOR**
12 **TEMPORARY APPOINTMENT OF GUARDIAN OF PERSON AND ESTATE OF**
13 **MINOR WARDS**; that she knows the content thereof; that the same is true of her own knowledge,
14 save and except as to matters therein stated on information and belief, and as to those matters she
15 believes them to be true.
16

17 DATED this 22 day of May, 2018.

18
19
20 BY: Pamela J. Lucero
21 PAMELA LUCERO

22 Acknowledged by Pamela Lucero
23 before me this 22nd day of May, 2018.


24 Tawnie Black
25 Notary Public
26



✓clio
3 copies
mailed
to Gerbe

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

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

FILED
2018 MAY 29 AM 11:49
ELKO CO DISTRICT COURT
CLERK _____ DEPUTY 

IN THE FOURTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF ELKO

In the Matter of the Guardianship of the Person
and Estate of

CASE NO. PR-GU-18-67
DEPT NO. 1

PAISLEY GRACE STONE, DOB 5/27/16, and
CARTAR THOMAS FERGUSON, DOB 1/17/18

**PETITION FOR THE
APPOINTMENT OF GENERAL
GUARDIANS**

Minor Children.

COMES NOW, Petitioners, PAMELA LUCERO and MICHAEL LUCERO, by and
through their attorney, Debra M. Amens, Esq., of AMENS LAW, Ltd., and in accordance with
Chapter 159 of the Nevada Revised Statutes, whose Petition represents the following to this
Honorable Court:

1. PAMELA and MICHAEL LUCERO (hereinafter "Petitioners"), are the Maternal
Great-Grandmother and Great-Grandfather, respectively, of the proposed wards, PAISLEY
GRACE STONE (hereinafter "proposed Minor Ward" or "Paisley"), born on May 27, 2016; and
CARTAR THOMAS FERGUSON (hereinafter "proposed Minor Ward" or "Cartar"), born on
January 17, 2018.

2. Petitioners were the proposed minor wards' Guardians from birth until present,
and are closely bonded with both Paisley and Cartar.

1 3. Petitioners are residents of Elko County, Nevada, living at 200 Viewcrest Drive,
2 Spring Creek, Nevada 89815.

3 4. In early May, 2018, the proposed minor wards' natural Mother, KRISTIN
4 NICOLE STONE (hereinafter "Mother"), also a resident and previous ward of both Petitioners,
5 was influenced one again to sign a consent to give temporary custody of the minor ward,
6 CARTAR FERGUSON, to DONALD and VICKY FERGUSON, the Paternal Grandparents; and
7 temporary custody of the other minor ward, PAISLEY STONE, to JOHN and MARIA McGREW,
8 the Paternal Grandparents. The Mother has since revoked the consent, in writing, and advised
9 both sets of Paternal Grandparents and their counsel. Apparently, she has signed the consent once
10 again.
11

12 5. The proposed minor wards have resided with the Petitioners since their birth. Their
13 Mother has been struggling with a drug addiction since she was 18 years old and is also mentally
14 challenged. The Petitioners have enrolled KRISTIN at Steps Recovery in Salt Lake City for drug
15 rehabilitation. KRISTIN needs time to stabilize her situation and not continue to separate the
16 proposed minor wards by signing away guardianship to separate family members and upsetting
17 the proposed minor wards' stable environment with the only home they have ever known – that
18 with Petitioners.
19
20

21 6. Petitioners are aware that the Wards' Paternal Grandparents, DONALD and
22 VICKY FERGUSON as well as JOHN and MARIA McGREW have both filed for Guardianship
23 of their respective grandchild (see case numbers PR-GU-18-49 and PR-GU-18-56, respectively).
24 However, Petitioners, do not feel it is in the best interest of the proposed minor wards to be
25 separated from each other or to grow up in separate homes. They are siblings despite having
26 different fathers. Petitioners would like to see the Mother raise her children once she is stable and
27
28

1 clean from any illegal substances. Separating the children and taking them out of the only home
2 they have ever known and away from their Great-Grandparents, who have essentially been their
3 only consistent caregivers since birth, would be traumatic for the proposed minor wards.

4
5 7. Petitioners have no disagreement and even encourage giving the paternal
6 grandparents, VICKY and DONALD FERGUSON, visitation with the proposed minor wards.
7 However, JOHN and MARIA McGREW, the paternal grandparents of PAISLEY, are only
8 interested in visitation with PAISLEY, and would exclude CARTAR.

9
10 8. As stated above, Mother is mentally challenged, and appears to have been unduly
11 influenced by the McGREWs and their counsel.

12 9. Petitioners are not suspended for misconduct or disbarred from the practice of law,
13 the practice of accounting or any profession which involves the management or sale of money,
14 investments, securities or real property and requires licensure in Nevada or any other State.
15 Petitioner, PAMELA LUCERO, was convicted of a felony approximately 40 years ago, but has
16 never lost licensure from any agency or board. MICHAEL and PAMELA LUCERO filed for
17 bankruptcy due to medical bills approximately two (2) years ago, but both are otherwise qualified
18 to serve as guardians. Both Petitioners have raised 13 other children and grandchildren, including
19 Mother, in their home over the years.
20

21 10. Petitioners understand that the proposed minor wards are unable on their own to
22 respond and lack capacity to address a substantial and immediate risk of physical harm and are in
23 need of regular medical checkups and assistance.
24

25 11. Petitioners believe due to the proposed minor wards' incapacity that the Wards
26 cannot live independently and require a Guardian for medical and financial decisions while their
27 Mother is also incapacitated due to her rehabilitation.
28

1 12. Petitioners have information relating to the persons entitled to notice pursuant to
2 NRS 159.047 and will formally serve a copy of the Petition to the proposed minor wards' known
3 family along with a Citation to Appear.
4

5 13. Petitioners report that they do not anticipate that the proposed minor wards will
6 require a guardianship upon their attaining the age of majority.

7 14. Petitioners believe that retaining the proposed minor wards in Spring Creek is in
8 their best interest as that is where the Mother has resided with the Petitioners, and the proposed
9 wards have resided since birth.
10

11 15. Petitioners seek Guardianship of both the Estate and Person of the proposed minor
12 wards but are unaware of any financial assets as part of the wards' estate. To the extent financial
13 assets exist, Petitioners seek the power to collect the balance of any of PAISLEY's or CARTAR's
14 personal and financial property, respectively, in order to secure it for their benefit.
15

16 16. The names of the proposed minor wards' immediate family are as follows:

Mother:	KRISTIN NICOLE STONE
Father of Paisley Stone:	DECEASED
Father of Cartar Ferguson:	KEVIN THOMAS FERGUSON
Paternal Grandparents of Paisley Stone:	JOHN & MARIA McGREW
Paternal Grandparents of Cartar Ferguson:	DONALD & VICKY FERGUSON
Maternal Grandmother:	SHAWN STONE
Maternal Great-Grandparents:	PAMELA & MICHAEL LUCERO

23 17. As the proposed minor wards' Great-Grandparents, Petitioners request that they
24 be allowed to serve without posting a bond.

25 18. The guardianship is not sought for the purpose of initiating litigation but rather for
26 providing stability for PAISLEY and CARTAR, allowing them to stay together and remain in the
27
28

1 home they have known for their entire life; where they have a loving relationship with Petitioners
2 and where they can have the stability and care they needs to thrive as sister and brother.

3 19. This request for the appointment of a general guardian is needed for the proposed
4 minor wards because they need a stable home and place where they can grow up in an
5 environment that they know is supportive of their needs.
6

7 20. A copy of Petitioner's identification will be filed with the Confidential Information
8 Sheet.

9 WHEREFORE, Petitioners prays as follows:
10

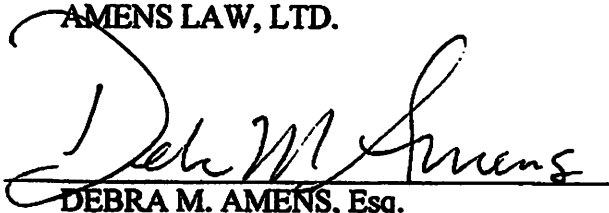
11 1. That this Honorable Court enter its Order appointing Petitioners to serve as
12 Guardians of the person and estate of the above-named minor children, and that Letters of
13 Guardianship issue to Petitioners upon their taking the oath of office as required by law;

14 2. That this Court waive any requirement for the posting of a bond for this
15 Guardianship; and,
16

17 3. For such other and further relief as this Court may deem just and proper in the
18 premises.

19 DATED this 29th day of May, 2018.

20 AMENS LAW, LTD.

21 
22
23

24 DEBRA M. AMENS, Esq.

25 Nevada Bar No. 12681

26 Attorney for Petitioners
27
28

1
2
3 VERIFICATION

4 STATE OF NEVADA)
5)ss. '
6 COUNTY OF ELKO)

7 COMES NOW, PAMELA LUCERO, Petitioner, herein, being first duly sworn, depose
8 and says:

9 That she is one of the Petitioners above-named; that she has read the foregoing
10 **PETITION FOR APPOINTMENT OF GENERAL GUARDIAN**; that she knows the content
11 thereof; that the same are true of her own knowledge, save and except as to matters therein stated
12 on information and belief, and as to those matters she believes them to be true.

13
14 DATED this 29th day of May, 2018.

15
16
17 BY: Pamela Lucero
18 PAMELA LUCERO

19
20 SUBSCRIBED and SWORN to before me
21 this 29th day of May, 2018, by
22 PAMELA LUCERO.

23
24 Tawnie Black
25 NOTARY PUBLIC



1
2
3 VERIFICATION

4 STATE OF NEVADA)
5)ss.
6 COUNTY OF ELKO)

7 COMES NOW, MICHAEL LUCERO, Petitioner, herein, being first duly sworn, depose
8 and says:

9 That he is one of the Petitioners above-named; that he has read the foregoing **PETITION**
10 **FOR APPOINTMENT OF GENERAL GUARDIAN**; that he knows the content thereof; that
11 the same are true of his own knowledge, save and except as to matters therein stated on
12 information and belief, and as to those matters he believes them to be true.

13 DATED this 29th day of May, 2018.

14
15
16
17 BY: Michael Lucero

18 MICHAEL LUCERO

19 SUBSCRIBED and SWORN to before me
20 this 29th day of May, 2018, by
21 MICHAEL LUCERO.

22
23
24 Tawnie Black
25 NOTARY PUBLIC

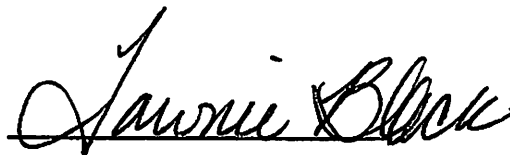


1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCp 5(b), I hereby certify that I work for AMENS LAW, LTD, and that on
3 the 29th day of May, 2018, I served a copy of the *Petition for Appointment of General Guardian*
4 by delivering a true and correct copy of same in a sealed envelope via certified mail through the
5 U.S. Postal service with postage thereon fully prepaid, to the following:
6

7 Travis W. Gerber, Esq.
8 GERBER LAW OFFICES, LLP
9 491 4th Street
Elko, Nevada 89801

10 Kristin Nicole Stone
11 c/o Steps Recovery
12 984 S. 930 West
Payson, UT 84651

13
14 

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

7 *The Undersigned hereby affirms this document*
8 *does not contain a social security number.*

9 **IN THE FOURTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
10 **IN AND FOR THE COUNTY OF ELKO**

11 IN THE MATTER OF THE GUARDIANSHIP
12 OF THE PERSON AND ESTATE OF

13 PAISLEY GRACE STONE (dob 5/27/16), and
14 CARTAR THOMAS FERGUSON
15 (dob 1/17/18).

CASE NO. PR-GU-18-67
DEPT. NO. 1

**AFFIDAVIT IN SUPPORT OF PETITION
FOR APPOINTMENT OF
GUARDIANSHIP**

16 STATE OF NEVADA

17)
18) ss.
19)
20 COUNTY OF ELKO

21 I, PAMELA LUCERO, do hereby swear or affirm under penalty of perjury that the
22 following assertions are true:

23 1. I am one of the Co-Petitioners seeking Guardianship of the above named proposed
24 minor Wards, to wit: PAISLEY GRACE STONE, born on May 27, 2016 and CARTAR
25 THOMAS FERGUSON, born on January 17, 2018 (hereinafter "proposed Wards").

26 2. The other Co-Petitioner, MICHAEL LUCERO, is my husband and we are the
27 maternal Great Grandarents of the Natural Mother of the proposed Wards.
28

2106
copies
mailed
together

FILED
2018 MAY 29 AM 11:50
ELKO CO DISTRICT COURT
CLERK DEPUTY

1 3. I and Co-Petitioner, are residents of Elko County and live at 200 Viewcrest Drive,
2 in Spring Creek, Nevada.

3 3. The Natural Mother is KRISTIN STONE (hereinafter "Mother"), and we were her
4 Guardians until she reached the age of majority. Mother is now in her early 20's.

5 4. The proposed Wards have been living in our home since their births and Mother
6 has come in and out of the home to care for them. I and my husband are closely bonded with the
7 proposed wards and have been providing them with a stable home life even while Mother's
8 situation has spiraled downward.

9 5. Mother suffers from learning disabilities and has a serious drug problem that started
10 when she was 18 years of age. Her addictions have recently gotten worse and she is out of control.
11 the drugs are also making her mental challenges worse – she is very susceptible to influence
12 especially if it is tied to money for drugs.

13 6. The Proposed Wards have two (2) different Fathers. PAISLEY's Father is deceased
14 and CARTAR's Father is incarcerated. The Paternal Grandparents have each initiated
15 Guardianship actions for their respective grandchild.

16 7. Mother has been unduly influenced by the Paternal Grandparents, especially the
17 Grandparents for Paisley, JOHN and MARIA McGREW, who may or may not know about
18 Mother's mental condition. On six(6) different occasions they have talked Mother into allowing
19 them to take the child. She has always rescinded these brief consents.

20 8. On the 5th time, both sets of Paternal grandparents met with Mother at their
21 attorney's office, first having told Mother that they were taking her out to lunch. After pressuring
22 here to sign consents, we understand that they bought her a bus ticket to California and a candy
23 bar.

1 9. Mother knows no one in California and she called and asked me to come get her
2 which I did. She once again revoked her consent to the Paternal Grandparent's having custody.

3 10. We filed the Ex Parte Motion for Temporary Guardianship after the Sheriff's office
4 advised that while Guardianship Hearings were pending, the children continued to be at risk due
5 to Mother's erratic behavior.
6

7 11. Additionally, with Mother's consent and desire, we arranged for Mother to be
8 enrolled in Rehab in Salt Lake City. She was scheduled to travel there at 3:30 a.m. on Saturday,
9 May 26, 2018.
10

11 12. On Friday, May 25, 2018, after the Ex Parte Motion was denied, the McGrew's
12 again cornered Mother and again she went to the their attorney's law office and again signed a
13 consent form.

14 13. After a raucous scene at our home where law enforcement was again called, Mr.
15 Travis Gerber of Gerber Law again coerced Mother to sign away Paisley to the McGrews.
16

17 14. After getting her signature on the consent forms, he then gave her money and
18 dropped her off at the Shell Station in Spring Creek. She called me and I went and picked her up.

19 15. With the McGrew's money in her pocket she left the home, telling me she was
20 going to go get high, putting chances for her to get in rehab at significant risk.

21 16. We are very concerned with the trauma that the Paternal Grandparents have been
22 causing and its impact on the children. We had a big 2nd Birthday party planned for Paisley the
23 day after she was taken by the McGrews, that required attorney intervention to ensure Paisley
24 could attend at least some of her own birthday party.
25

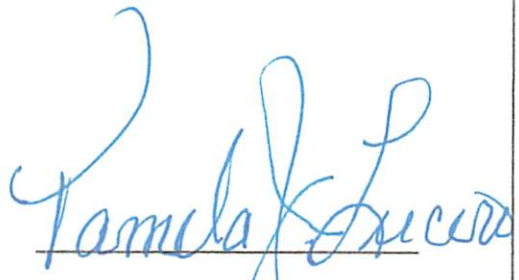
26 17. We are open to a visitation plan that involves the Paternal Grandparents and while
27 this has been communicated through their attorney's, nothing was ever proposed. Now once again,
28

1 the McGrews have Paisley, while we are working with the Ferguson's on jointly caring for Cartar.
2 In the meantime, the siblings who are closely bonded, are separated.

3 18. We ask this Court to consider the trauma and chaos that has resulted due to the
4 efforts made by the Paternal Grandparents to improperly influence Mother.
5

6 19. The foregoing is made and based upon my own personal knowledge except as to
7 those matters which are based on information and belief, and as to such matters, I believe them to
8 be true. In the event I am called upon to do so, I would and could competently testify as to the
9 foregoing.

10 DATED this 29th day of May, 2018.

11
12
13 
14 PAMELA LUCERO

15 SUBSCRIBED and SWORN to before me
16 this 29 day of May, 2018.

17
18 
19 NOTARY PUBLIC



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

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

FOURTH JUDICIAL DISTRICT COURT
FILED IN OPEN COURT
Date: 8-2-18
Time: 10:22AM
Clerk: [Signature]

IN THE FOURTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF ELKO

In the Matter of the Guardianship of the Person
and Estate of

PAISLEY GRACE STONE, DOB 5/27/16, and
CARTAR THOMAS FERGUSON, DOB 1/17/18

A minor Child

CASE NO. PR-GU-18-67
DEPT NO. I

**CONSENT TO ESTABLISHMENT OF
THE GUARDIANSHIP OF THE
MINOR CHILDREN BY GREAT-
GRANDPARENTS**

COMES NOW, KRISTIN NICOLE STONE, and, does now consent to the
establishment of a Guardianship of her two (2) minor children, to wit: PAISLEY GRACE STONE
(hereinafter "Daughter" or "Paisley") born May ²⁶~~28~~, 2016, and CARTAR THOMAS FERGUSON
(hereinafter "Son" or "Cartar"), born January 17, 2018, granting the relief requested in their
Petition for Guardianship of the Minor Children including the request therein to have Petitioners
appointed as the Guardians of the Person and Estate of Paisley and Cartar and I further advise the
Court in regard to this matter as follows:

1. I am KRISTIN NICOLE STONE. My current address is 200 Viewcrest
Drive, Spring Creek, Nevada 89815.

///

CONSENT TO ESTABLISHMENT OF THE GUARDIANSHIP OF THE MINOR CHILDREN BY GREAT-
GRANDPARENTS - I

1 2. That I am the Natural Mother of the minor children named in this action,
2 to wit: PAISLEY GRACE STONE, born May 27, 2016, and CARTAR THOMAS FERGUSON,
3 born January 17, 2018.

4 3. That the father of Paisley is DECEASED and the father of Carter is KEVIN
5 THOMAS FERGUSON and he is incarcerated in Elko County, Nevada.

6 4. That my children are currently living with me at my great-grandparents
7 home, MICHAEL and PAMELA LUCERO, at the address provided and have been residing there
8 since their birth.

9 5. I acknowledge that at this point in time, the father of Cartar, and I, are not
10 able to adequately provide for the needed care, custody, and control of Cartar or Paisley, nor
11 provide necessary financial support or stable and appropriate housing.

12 6. I believe that the appointment of my Great-Grandparents, PAMELA and
13 MICHAEL LUCERO, as co-Guardians is in the best interest of my children and I request that
14 Letters of Guardianship be issued to them forthwith so that they can adequately care for both
15 Paisley and Cartar, and keep them together siblings.

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

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27
28 CONSENT TO ESTABLISHMENT OF THE GUARDIANSHIP OF THE MINOR CHILDREN BY GREAT-
GRANDPARENTS - 2

DATED this 31 day of May, 2018.

A-A0377