

No. A-18-783375-C

IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA IN AND FOR
THE COUNTY OF CLARK

Thomas Walker.,
Plaintiff
v.
Floyd Wayne Grimes.,
Elizabeth Grimes.,
WBG Trust.,
Victoria Jean Halsey.,
Jalee Arnone.,
Peter Arnone.,
Defendants

Electronically Filed
Jul 28 2021 10:47 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Floyd Wayne Grimes.,
Elizabeth Grimes,
WBG Trust.,
Victoria Halsey.,
Jalee Arnone.,
Peter Arnone
Counterclaimants
v.
Thomas Walker,
Counter-defendant

NOTICE OF APPEAL

Notice is hereby given that Thomas Walker., plaintiff/counter-defendant above named, hereby appeals to the Supreme Court of Nevada from the Judgment on Jury Verdict from the order that Plaintiff Thomas Walker take nothing on all claims alleged in his complaint, entered in this action on the 22nd day of June 2021;

Notice is hereby given that Thomas Walker, plaintiff/counter-defendant above named, hereby appeals to the Supreme Court of Nevada from the Judgment on Jury Verdict from the order that Counterclaimant Jalee Arnone is the current title holder to 6253 Rocky Mountain Avenue, Las Vegas, Nevada, 89156. As title holder, Jalee Arnone is granted an injunction removing Counterdefendant Thomas Walker from the property entered in this action on the 22nd day of June 2021.

Notice is hereby given that Thomas Walker., plaintiff/counter-defendant above named, hereby appeals to the Supreme Court of Nevada from the partial judgment from the order that the Defendant's Motion for Judgment on the Pleadings is Granted concerning: 1. Plaintiff's first cause of action for Injunctive Relief, 2. Plaintiffs third cause of action for Declaratory Relief, 3. Plaintiff's fourth cause of action for Declaratory Relief, 4. Plaintiff's fifth cause of action for Declaratory Relief; 5. Plaintiff's seventh cause of action for Tortious Breach of Contract, 6. Plaintiffs ninth cause of action for Slander of Title, 7. Plaintiffs tenth cause of action for Nuisance 8. Plaintiffs eleventh cause of action for Abuse of Process, 9. Plaintiffs twelfth cause of

1 action for Fraudulent Inducement 10. Plaintiffs thirteenth cause of action for Fraudulent
2 Concealment 11. Plaintiffs fourteenth cause of action for Fraudulent Transfer 12. Plaintiffs
3 fifteenth cause of action for Conversion 13. Plaintiffs seventeenth cause of action for Conversion
4 14. Plaintiffs eighteenth cause of action for Intentional Infliction of Emotional Distress. 15.
5 Plaintiffs nineteenth cause of action for Civil Conspiracy 16. Plaintiffs twentieth cause of action
6 for Unjust Enrichment, 17. Plaintiffs twenty-first cause of action for Fraudulent Conveyance 18.
7 Plaintiffs twenty-second cause of action for Deceptive Trade Practice 19. Plaintiffs twenty-third
8 cause of action for Intentional Infliction of Emotional Distress, partial judgment entered in this
9 action on the 29th day of March 2021, final judgment entered in this action on the 22nd day of
10 June 2021.

11 Notice is hereby given that Thomas Walker., plaintiff/counter-defendant above named,
12 hereby appeals to the Supreme Court of Nevada from the partial judgment from the order that the
13 Defendant's Motion for Judgment on the Pleadings is DENIED WITHOUT PREJUDICE
14 concerning: 1. Plaintiffs second cause of action for Declaratory Relief, 2. Plaintiffs sixth cause of
15 action for Breach of Contract, 3. Plaintiffs eighth cause of action for Slander of Title, 4. Plaintiffs
16 sixteenth cause of action for Unjust Enrichment/ Quantum Meruit entered in this action on the
17 29th day of March 2021, final judgement entered in this action on the 22nd day of June 2021.

18 Notice is hereby given that Thomas Walker., plaintiff/counter-defendant above named,
19 hereby appeals to the Supreme Court of Nevada from the order granting Defendant's Motion in
20 Limine from the order that the Plaintiff Walker is not permitted to use, show, offer, or refer to the
21 document identified by Plaintiff as Bate stamp "PTW-001" at any hearing or trial in this matter
22 entered in this action on the 5th day of October 2020.

23 Notice is hereby given that Thomas Walker., plaintiff/counter-defendant above named,
24 hereby appeals to the Supreme Court of Nevada from the Order granting Defendant's Motion in
25 Limine from the order that the Plaintiff Walker is not permitted to use, show, offer, or refer to
any copies or reproduction of the document identified by Plaintiff as Bate stamp "PTW-001" at
any hearing or trial in this matter entered in this action on the 5th day of October, 2020.

Notice is hereby given that Thomas Walker., plaintiff/counter-defendant above named,
hereby appeals to the Supreme Court of Nevada from the Order granting Defendant's Motion in
Limine from the order that the Plaintiff Walker is not permitted to offer testimony about, or
referring to, the document identified by Plaintiff as Bate stamp "PTW-001," either himself or
through any other witnesses at any hearing or trial in this matter entered in this action on the 5th
day of October, 2020.

Notice is hereby given that Thomas Walker., plaintiff/counter-defendant above named,
hereby appeals to the Supreme Court of Nevada from the Order on the Defendants Application
For A Temporary Writ of Restitution from the order that plaintiff /Counterdefendant shall pay
the sum of \$700.00 not later than the 15th day of each month into the client trust account of
Counterclaimant's counsel, Dempsey, Roberts, & Smith., Ltd., with the first payment due no later
than December 15, 2019 entered into on the 20th day of May, 2020.

Pro-Se Plaintiff

6253 Rocky Mountain Avenue

Las Vegas, Nevada 89156



ASTA

**IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA IN AND FOR
THE COUNTY OF CLARK**

THOMAS WALKER,

Plaintiff(s),

vs.

FLOYD WAYNE GRIMES; ELIZABETH
GRIMES; WBG TRUST; VICTORIA JEAN
HALSEY; JALEE ARNONE; PETER ARNONE,

Defendant(s),

Case No: A-18-783375-C

Dept No: XXXI

CASE APPEAL STATEMENT

1. Appellant(s): Thomas Walker

2. Judge: Joanna S. Kisher

3. Appellant(s): Thomas Walker

Counsel:

Thomas Walker
6253 Rocky Mountain Ave.
Las Vegas, NV 89156

4. Respondent (s): Floyd Wayne Grimes; Elizabeth Grimes; WBG Trust; Victoria Jean Halsey;
Jalee Arnone; Peter Arnone

Counsel:

Kenneth M. Roberts, Esq.
1130 Wigwam Pkwy
Henderson, NV 89074

5. Appellant(s)'s Attorney Licensed in Nevada: N/A
Permission Granted: N/A

Respondent(s)'s Attorney Licensed in Nevada: Yes
Permission Granted: N/A

6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No

7. Appellant Represented by Appointed Counsel On Appeal: N/A

8. Appellant Granted Leave to Proceed in Forma Pauperis**: Yes, October 24, 2018
***Expires 1 year from date filed* Expired
Appellant Filed Application to Proceed in Forma Pauperis: No
Date Application(s) filed: N/A

9. Date Commenced in District Court: October 24, 2018

10. Brief Description of the Nature of the Action: REAL PROPERTY - Title of Property

Type of Judgment or Order Being Appealed: Petition for Judicial Review

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

12. Child Custody or Visitation: N/A

13. Possibility of Settlement: Unknown

Dated This 26 day of July 2021.

Steven D. Grierson, Clerk of the Court

/s/ Amanda Hampton

Amanda Hampton, Deputy Clerk
200 Lewis Ave
PO Box 551601
Las Vegas, Nevada 89155-1601
(702) 671-0512

cc: Thomas Walker

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. A-18-783375-C**

Thomas Walker, Plaintiff(s)
vs.
Floyd Grimes, Defendant(s)

§
§
§
§
§

Location: **Department 31**
Judicial Officer: **Kishner, Joanna S.**
Filed on: **10/24/2018**
Cross-Reference Case Number: **A783375**

CASE INFORMATION

Statistical Closures
06/22/2021 Verdict Reached

Case Type: **Other Title to Property**

Case Status: **06/22/2021 Closed**

DATE**CASE ASSIGNMENT****Current Case Assignment**

Case Number A-18-783375-C
Court Department 31
Date Assigned 10/24/2018
Judicial Officer Kishner, Joanna S.

PARTY INFORMATION

		<i>Lead Attorneys</i>
Plaintiff	Walker, Thomas	Pro Se 702-619-1256(H)
Defendant	Arnone, Jalee	Roberts, Kenneth M, ESQ <i>Retained</i> 7023881216(W)
	Arnone, Peter	
	Grimes, Elizabeth	Roberts, Kenneth M, ESQ <i>Retained</i> 7023881216(W)
	Grimes, Floyd Wayne	Roberts, Kenneth M, ESQ <i>Retained</i> 7023881216(W)
	Halsey, Victoria Jean	Roberts, Kenneth M, ESQ <i>Retained</i> 7023881216(W)
	WBG Trust	Roberts, Kenneth M, ESQ <i>Retained</i> 7023881216(W)
Counter Claimant	Arnone, Jalee	Roberts, Kenneth M, ESQ <i>Retained</i> 7023881216(W)
	Arnone, Jaylee Removed: 12/12/2018 Data Entry Error	
	Grimes, Elizabeth Removed: 12/11/2018 Data Entry Error	Roberts, Kenneth M, ESQ <i>Retained</i> 7023881216(W)
	Grimes, Floyd Wayne	Roberts, Kenneth M, ESQ <i>Retained</i>

CASE SUMMARY**CASE NO. A-18-783375-C**

7023881216(W)

Grimes, Floyd Wayne
 Removed: 12/12/2018
 Data Entry Error










Halsey, Victoria Jean
 Removed: 12/11/2018
 Data Entry Error

Roberts, Kenneth M, ESQ
Retained
 7023881216(W)

**Counter
 Defendant**

Walker, Thomas

Pro Se
 702-619-1256(H)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
	<u>EVENTS</u>	
10/11/2018	 Application to Proceed in Forma Pauperis Filed By: Counter Defendant Walker, Thomas <i>[2] Application to Proceed in Forma Pauperis</i>	
10/24/2018	 Order to Proceed In Forma Pauperis Granted for: Counter Defendant Walker, Thomas <i>[1] Order to Proceed In Forma Pauperis</i>	
10/24/2018	 Complaint Filed By: Counter Defendant Walker, Thomas <i>[3] Verified Complaint</i>	
11/06/2018	 Amended Complaint Filed By: Counter Defendant Walker, Thomas <i>[4] Plaintiff's first ammended complaint</i>	
12/04/2018	 Affidavit of Service Filed By: Counter Defendant Walker, Thomas Party Served: Counter Claimant Grimes, Floyd Wayne <i>[5] Affidavit of Service</i>	
12/04/2018	 Affidavit of Service Filed By: Counter Defendant Walker, Thomas Party Served: Defendant Halsey, Victoria Jean <i>[6] Affidavit of Service</i>	
12/04/2018	 Affidavit of Service Filed By: Counter Defendant Walker, Thomas Party Served: Defendant Arnone, Peter <i>[7] Affidavit of Service</i>	
12/04/2018	 Affidavit of Service Filed By: Counter Defendant Walker, Thomas Party Served: Defendant WBG Trust <i>[8] Affidavit of Service</i>	
12/04/2018	 Affidavit of Service Filed By: Counter Defendant Walker, Thomas Party Served: Counter Claimant Arnone, Jalee <i>[9] Affidavit of Service</i>	
12/04/2018		













CASE SUMMARY

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	 Amended Summons <i>[10] Amended Summons</i>
12/10/2018	 Affidavit of Service <i>[11]</i>
12/10/2018	 Notice of Pendency of Action Filed By: Counter Defendant Walker, Thomas <i>[12] Notice of Pendency of Action</i>
12/11/2018	 Answer and Counterclaim Filed By: Counter Claimant Grimes, Floyd Wayne; Defendant WBG Trust; Trustee Grimes, Elizabeth; Defendant Halsey, Victoria Jean; Counter Claimant Arnone, Jalee <i>[14] Defendant s Answer To Plaintiffs' Complaint And Defendant Floyd Grimes Counterclaim</i>
12/12/2018	 Initial Appearance Fee Disclosure Filed By: Counter Claimant Grimes, Floyd Wayne; Defendant WBG Trust; Trustee Grimes, Elizabeth; Defendant Halsey, Victoria Jean; Counter Claimant Arnone, Jalee <i>[13] Initial Appearance Fee Disclosure</i>
12/17/2018	 Amended Answer <i>[15] Defendants' 1st Amended Answer to Plaintiffs' Complaint and Defendants' Counterclaim</i>
12/31/2018	 Reply to Counterclaim Filed by: Counter Defendant Walker, Thomas <i>[16] Reply to Counterclaim, Plaintiff's/Counter-defendant's Answer</i>
07/02/2019	 Demand for Jury Trial Filed By: Counter Defendant Walker, Thomas <i>[17] Demand for Jury Trial</i>
07/19/2019	 Joint Case Conference Report <i>[18] Joint Case Conference Report</i>
07/24/2019	 Mandatory Rule 16 Conference Order <i>[19] Mandatory Rule 16 Pre-Trial Scheduling Conference Order</i>
08/13/2019	 Scheduling and Trial Order <i>[20] Scheduling Order and Order Setting Civil Jury Trial, Pre-Trial/Trial Setting Conference, and Calendar Call/Final Pre-Trial Conference</i>
09/09/2019	 Motion Filed By: Counter Claimant Grimes, Floyd Wayne; Counter Claimant Arnone, Jalee <i>[21] Counterclaimants Jalee Arnone and Floyd Grimes' Application for Temporary Writ of Restitution</i>
09/09/2019	 Clerk's Notice of Hearing <i>[22] Notice of Hearing</i>
09/10/2019	 Certificate of Mailing <i>[23] Certificate of Mailing</i>
10/18/2019	 Opposition to Motion

CASE SUMMARY

CASE NO. A-18-783375-C

	<p>Filed By: Counter Defendant Walker, Thomas <i>[24] Opposition to Defendant's/Counterclaimant's Motion for Application for Temporary Writ of Restitution</i></p>
10/22/2019	<p> Reply to Opposition Filed by: Counter Claimant Grimes, Floyd Wayne; Counter Claimant Arnone, Jalee <i>[25] Applicant's Reply to Plaintiff's Opposition to Counterclaimants Jalee Arnone and Floyd Grimes' Application for Temporary Writ of Restitution</i></p>
11/01/2019	<p> Motion to Withdraw As Counsel Filed By: Counter Claimant Grimes, Floyd Wayne; Defendant WBG Trust; Trustee Grimes, Elizabeth; Defendant Halsey, Victoria Jean; Counter Claimant Arnone, Jalee; Defendant Arnone, Peter <i>[26] WITHDRAWN 12/05/19 - Defendants' Attorney's Motion to Withdraw as Counsel of Record</i></p>
11/01/2019	<p> Certificate of Mailing Filed By: Counter Claimant Grimes, Floyd Wayne; Trustee Grimes, Elizabeth; Defendant Halsey, Victoria Jean; Counter Claimant Arnone, Jalee; Defendant Arnone, Peter <i>[27] Certificate of Mailing</i></p>
11/04/2019	<p> Clerk's Notice of Hearing <i>[28] Notice of Hearing</i></p>
11/04/2019	<p> Certificate of Mailing Filed By: Counter Claimant Grimes, Floyd Wayne; Trustee Grimes, Elizabeth; Defendant Halsey, Victoria Jean; Counter Claimant Arnone, Jalee; Defendant Arnone, Peter <i>[29] Certificate of Mailing</i></p>
11/20/2019	<p> Affidavit Filed By: Counter Defendant Walker, Thomas <i>[30] Affidavit Of ;Non-Opposition Defendants' Attorney's Motion To Withdraw As Counsel Of Record</i></p>
01/21/2020	<p> Motion in Limine Filed By: Counter Claimant Grimes, Floyd Wayne; Defendant WBG Trust; Trustee Grimes, Elizabeth; Counter Claimant Arnone, Jalee <i>[31] Defendants' Motion in Limine to Exclude Document</i></p>
01/22/2020	<p> Clerk's Notice of Hearing <i>[32] Notice of Hearing</i></p>
02/25/2020	<p> Opposition to Motion in Limine Filed By: Counter Defendant Walker, Thomas <i>[33] Opposition to Defendant's Motion in Limine to Exclude Document.</i></p>
03/02/2020	<p> Pre-Trial Disclosure <i>[34] Defendants' Pretrial Disclosures Pursuant to NRCP 16.1</i></p>
05/19/2020	<p> Amended Order Setting Jury Trial <i>[35] Amended Order Setting Civil Jury Trial, Pre-Trial/Trial Setting Conference, and Calendar Call/Final Pre-Trial Conference</i></p>
05/20/2020	<p> Order Filed By: Counter Claimant Grimes, Floyd Wayne; Defendant WBG Trust; Trustee</p>

CASE SUMMARY

CASE NO. A-18-783375-C

Grimes, Elizabeth; Defendant Halsey, Victoria Jean; Counter Claimant Arnone, Jalee; Defendant Arnone, Peter
 [36] Order on Defendant's Application for a Temporary Writ of Restitution

05/20/2020



Notice of Entry of Order

Filed By: Counter Claimant Grimes, Floyd Wayne; Defendant WBG Trust; Trustee Grimes, Elizabeth; Defendant Halsey, Victoria Jean; Counter Claimant Arnone, Jalee; Defendant Arnone, Peter
 [37] Notice of Entry of Order

09/08/2020



Memorandum

[38] Court's Memo RE: Remote appearance for hearing on September 10, 2020

10/05/2020



Order Granting

Filed By: Counter Claimant Grimes, Floyd Wayne; Defendant WBG Trust; Trustee Grimes, Elizabeth; Defendant Halsey, Victoria Jean; Counter Claimant Arnone, Jalee
 [39] Order Granting Defendants' Motion in Limine

10/05/2020



Notice of Entry of Order

[40] Notice of Entry of Order

10/06/2020



Motion for Order to Show Cause

Filed By: Counter Claimant Grimes, Floyd Wayne; Defendant WBG Trust; Trustee Grimes, Elizabeth; Defendant Halsey, Victoria Jean; Counter Claimant Arnone, Jalee
 [41] Counterclaimants' Motion for order to Enforce And/Or For An Order To Show Cause Regarding Contempt

10/06/2020



Ex Parte Application

[42] Ex Parte Application For An Order To Show Cause

10/07/2020



Order to Show Cause

Filed by: Counter Claimant Grimes, Floyd Wayne; Defendant WBG Trust; Trustee Grimes, Elizabeth; Defendant Halsey, Victoria Jean
 [43] Order to Show Cause

10/14/2020



Notice of Entry of Order

Filed By: Attorney Roberts, Kenneth M, ESQ; Counter Claimant Grimes, Floyd Wayne; Defendant WBG Trust; Trustee Grimes, Elizabeth; Defendant Halsey, Victoria Jean; Counter Claimant Arnone, Jalee; Defendant Arnone, Peter
 [44] Notice of Entry of Order

10/23/2020



Memorandum

[45] Court's Memo RE: Remote appearance and Pro Bono line pass for 10/29/20 hearing

10/28/2020



Amended Order Setting Jury Trial

[46] Amended Order Setting Civil Jury Trial, Calendar Call/Final Pre-Trial Conference, and Status Check

10/29/2020



Certificate of Mailing

[47] Certificate of Mailing

10/29/2020



Appearance

Filed By: Counter Defendant Walker, Thomas
 [48] Intent to Appear and Defend

CASE SUMMARY

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11/03/2020	 Memorandum <i>[49] Court's Memo RE: Remote appearance and Pro Bono Front of Line Pass for 11/5/20 hearing</i>
11/05/2020	 Receipt <i>[50] Receipt of Payment</i>
11/23/2020	 Notice <i>[51] Notice of Scheduling Settlement Conference</i>
12/14/2020	 Memorandum <i>[52] Court's Memo RE: Remote appearance for 12/17/20 hearing</i>
01/08/2021	 Amended Order Setting Jury Trial <i>[53] Amended Order Setting Civil Jury Trial, Pre-Trial/Trial Setting Conference, and Calendar Call/Final Pre-Trial Conference</i>
01/14/2021	 Order <i>[54] Order on Order to Show Cause Regarding Plaintiff's Failure to Deposit Funds Into Defendants' Counsel's Trust Account</i>
01/15/2021	 Notice of Entry of Order Filed By: Counter Claimant Grimes, Floyd Wayne <i>[55] Notice of Entry of Order</i>
02/05/2021	 Motion for Judgment Filed By: Counter Claimant Grimes, Floyd Wayne; Defendant WBG Trust; Trustee Grimes, Elizabeth; Defendant Halsey, Victoria Jean <i>[56] Defendants' Motion for Judgment on the Pleadings</i>
02/05/2021	 Clerk's Notice of Hearing <i>[57] Notice of Hearing</i>
02/08/2021	 Certificate of Mailing <i>[58] Certificate of Mailing</i>
03/05/2021	 Memorandum <i>[59] Court's Memo RE: Court's Memo RE: Remote Appearance Information for March 9, 2021, Hearing **Please Review Memo in its Entirety**</i>
03/09/2021	 Opposition Filed By: Counter Defendant Walker, Thomas <i>[60] Plaintiffs Opposition to Defendants Motion For Judgment On The Pleadings</i>
03/09/2021	 Affidavit in Support Filed By: Counter Defendant Walker, Thomas <i>[61] Plaintiff's Affidavit In Support Of Opposition</i>
03/09/2021	 Motion to Extend <i>[62] Plaintiff's Motion To Extend Time To File Response To Defendant's Motion For Judgement On The Pleadings Under EDCR 2.25</i>
03/09/2021	 Acceptance of Service

CASE SUMMARY

CASE NO. A-18-783375-C

	<p>Filed By: Counter Defendant Walker, Thomas <i>[63] Amended Opposition</i></p>
03/10/2021	<p> Clerk's Notice of Nonconforming Document <i>[64] Notice of Nonconforming Document</i></p>
03/15/2021	<p> Memorandum <i>[65] Court's Memo RE: Remote Appearance Information for March 18, 2021, Hearing</i> <i>**Please Review Memo in its Entirety**</i></p>
03/29/2021	<p> Order <p>Filed By: Counter Claimant Grimes, Floyd Wayne; Defendant WBG Trust; Trustee Grimes, Elizabeth; Defendant Halsey, Victoria Jean <i>[66] Order Granting in Part and Denying in Part Defendants' Motion for Judgment on the Pleadings</i></p> </p>
03/29/2021	<p> Notice of Entry of Order <i>[67] Notice of Entry of Order</i></p>
04/15/2021	<p> Memorandum <i>[68] Court's Memo RE: Calendar Call, Trial Scheduling, and Remote Appearance Information</i></p>
04/15/2021	<p> Pre-trial Memorandum <i>[69] Defendants' Pretrial Memorandum</i></p>
04/15/2021	<p> Pre-trial Memorandum <p>Filed by: Counter Defendant Walker, Thomas <i>[70] Defendants' Pre-trial Memorandum</i></p> </p>
05/05/2021	<p> Amended Order Setting Jury Trial <i>[71] Amended Order Setting Civil Jury Trial and Calendar Call/Final Pre-Trial Conference</i></p>
05/14/2021	<p> Pre-trial Memorandum <p>Filed by: Counter Defendant Walker, Thomas <i>[72] PLAINTIFF'S PRETRIAL MEMO</i></p> </p>
05/14/2021	<p> Memorandum <i>[73] Court's Memo RE: Remote Appearance Information for MAY 18, 2021, Hearing</i> <i>**PLEASE REVIEW IN ITS ENTIRETY**</i></p>
05/18/2021	<p> Memorandum <i>[74] Court's Memo RE: Remote Appearance Information for May 20, 2021, Hearing **Please Review Memo in its Entirety**</i></p>
05/21/2021	<p> Memorandum <i>[75] Court's Memo RE: Date for Jury Selection and location</i></p>
05/24/2021	<p> Audiovisual Transmission Equipment Appearance Request <i>[76] Audiovisual Transmission Equipment Appearance Request - Peter Arnone</i></p>
05/24/2021	<p> Audiovisual Transmission Equipment Appearance Request <i>[77] Audiovisual Transmission Equipment Appearance Request - Jalene Arnone</i></p>

CASE SUMMARY

CASE NO. A-18-783375-C

05/24/2021	 Audiovisual Transmission Equipment Appearance Consent <i>[78] Audiovisual Transmission Equipment Appearance Consent - Jalee Arnone</i>
05/24/2021	 Audiovisual Transmission Equipment Appearance Consent <i>[79] Audiovisual Transmission Equipment Appearance Consent - Peter Arnone</i>
05/24/2021	 Audiovisual Transmission Equipment Appearance Request <i>[80] Audiovisual Transmission Equipment Appearance Request - Linda Bell</i>
05/24/2021	 Audiovisual Transmission Equipment Appearance Consent <i>[81] Audiovisual Transmission Equipment Appearance Consent - Linda Bell</i>
05/26/2021	 Jury List <i>[82] Jury Trial</i>
05/27/2021	 Memorandum <i>[83] Court's Memo RE: Bluejeans Connection Information for Trial Commencing June 1, 2021</i>
06/01/2021	 Jury Instructions <i>[84] Jury Instructions</i>
06/01/2021	 Jury Instructions Party: Counter Defendant Walker, Thomas <i>[85] Unopposed purposed jury instructions</i>
06/03/2021	 Jury List <i>[86] Jury List</i>
06/03/2021	 Special Jury Verdict <i>[87] Special Jury Verdict</i>
06/03/2021	 Jury Instructions <i>[88] Jury Instructions</i>
06/22/2021	 Judgment on Jury Verdict <i>[89] Judgment on Jury Verdict</i>
06/23/2021	 Judgment on Jury Verdict <i>[90] (Duplicate) Judgment on Jury Verdict</i>
06/25/2021	 Notice of Entry of Judgment Filed By: Counter Claimant Grimes, Floyd Wayne <i>[91] Notice of Entry of Judgment</i>
06/25/2021	 Memorandum of Costs and Disbursements <i>[92] Memorandum of Costs and Disbursements</i>
07/22/2021	 Notice of Appeal Filed By: Counter Defendant Walker, Thomas <i>[93] Notice of Appeal</i>

CASE SUMMARY

CASE NO. A-18-783375-C

07/26/2021



Case Appeal Statement

Filed By: Counter Defendant Walker, Thomas

Case Appeal Statement

DISPOSITIONS

03/29/2021

Judgment (Judicial Officer: Kishner, Joanna S.)

Debtors: Thomas Walker (Plaintiff)

Creditors: Floyd Wayne Grimes (Defendant), WBG Trust (Defendant), Elizabeth Grimes (Defendant), Victoria Jean Halsey (Defendant)

Judgment: 03/29/2021, Docketed: 03/30/2021

Comment: Certain Causes

06/22/2021

Judgment Upon the Verdict (Judicial Officer: Kishner, Joanna S.)

Debtors: Thomas Walker (Plaintiff)

Creditors: Floyd Wayne Grimes (Defendant), WBG Trust (Defendant), Elizabeth Grimes (Defendant), Victoria Jean Halsey (Defendant), Jalee Arnone (Defendant), Peter Arnone (Defendant)

Judgment: 06/22/2021, Docketed: 06/23/2021

Debtors: Thomas Walker (Counter Defendant)

Creditors: Jalee Arnone (Counter Claimant)

Judgment: 06/22/2021, Docketed: 06/23/2021

HEARINGS

08/13/2019



Mandatory Rule 16 Conference (10:30 AM) (Judicial Officer: Kishner, Joanna S.)

MINUTES

Matter Heard;

Journal Entry Details:

Plaintiff Thomas Walker, present in proper person. Upon Court's inquiry, Mr. Walker provided his correct address. Court reminded Plaintiff to make sure the Clerk's office has his correct address. Estimate was 2-3 days for trial. Court reviewed with parties the Joint Case Conference Report (JCCR) filed July 19, 2019, and Mandatory Rule 16 Pre-Trial Scheduling Conference Order filed July 24, 2019. Thereafter, Court inquired about whether a settlement conference / mediation would be necessary in this matter. Defense counsel confirmed his client would be open to having one. Plaintiff declined on having one. Court stated it will not order a settlement conference. Court adopted the proposed deadline dates in the JCCR. COURT ORDERED, trial date SET. New trial and scheduling order to issue from Chambers. Matter SET for status check. 11/12/19 9:00 A.M. STATUS CHECK: STATUS OF CASE 2/13/20 10:15 A.M. PRE-TRIAL CONFERENCE 3/10/20 9:00 A.M. CALENDAR CALL 3/16/20 9:00 A.M. TRIAL BY JURY;

SCHEDULED HEARINGS



Status Check: Status of Case (11/12/2019 at 9:00 AM) (Judicial Officer: Kishner, Joanna S.)

10/10/2019



Motion (9:00 AM) (Judicial Officer: Kishner, Joanna S.)

10/10/2019, 10/24/2019

Counterclaimants Jalee Arnone and Floyd Grimes' Application for Temporary Writ of Restitution

Continued;

Motion Granted;

Journal Entry Details:

Extensive argument regarding Pltf's. understanding of the terms of the agreement between the parties, the lack of a signed contract, Pltf's. receipts totaling more than \$91,000.00, Pltf's. non-payment of rent since 2015, and the public records indication of who the legal owner of the property is. Mr. Roberts argued Pltf's. argument regarding Rule 56 does not apply as Rule 56 is a summary judgment rule with strict requirements that there be a genuine issue of material fact. Pltf. argued the agreement was for Pltf. to \$800.00 for the first 25 months, the extra \$2500.00 would be used as the down payment. Adding, most of his communications and payments were with Mr. Grimes daughter, Vicky. His records indicate \$63,000.00 had been paid by 2012, the total purchase was to be \$69,000.00 with interest and everything. Mr.

CASE SUMMARY

CASE NO. A-18-783375-C

Roberts requested Plft. pay \$700.00 into his trust account or to the Court pending the outcome of the trial, first payment due 11/01/19. COURT STATED Its inclination and FINDINGS, and ORDERED, Application GRANTED. Pltf. is to pay \$700.00 per month, first payment DUE by 11/15/19. Parties STIPULATE payment is to be to Deft's. trust account. The funds must be segregated and CAN NOT be released without a Court Order. Mr. Roberts is to prepare the Order, provide a copy to the Pro Se litigant at the same time it is served upon the Court, within 10 days of today's hearing.;

Continued;

Motion Granted;

Journal Entry Details:

Mr. Walker appeared in proper person. Arguments by Mr. Roberts in support of relief requested. Mr. Walker responded to the arguments, and also stated he had a written opposition prepared for the Motion. At request of Plaintiff, and there being no objection, COURT ORDERED, matter CONTINUED one week for the opposition to be filed, with a courtesy copy to be provided by Plaintiff, and for a written reply to be filed by Defendant, with a courtesy copy to be provided for the Court. 10/24/19 9:30 A.M. COUNTERCLAIMANTS JALEE ARNONE AND FLOYD GRIMES' APPLICATION FOR TEMPORARY WRIT OF RESTITUTION;

11/12/2019



Status Check: Status of Case (9:00 AM) (Judicial Officer: Kishner, Joanna S.)

Matter Heard;

Journal Entry Details:

Mr. Walker appeared in proper person. Court reminded both sides the order from the hearing dated October 24, 2019 was not submitted. Mr. Roberts confirmed he will make sure such order gets submitted to the Court. Court provided the upcoming court dates. Mr. Walker stated he will be filing a response to the Motion to withdraw scheduled for December 5, 2019, and he will not be opposing the Motion. Following discussions as to there being no other outstanding issues for Court to address, Court noted it will leave the Motion to withdraw on for December 5, 2019 at 9:00 a.m.;

12/05/2019



Motion to Withdraw as Counsel (9:00 AM) (Judicial Officer: Kishner, Joanna S.)

Defendants' Attorney's Motion to Withdraw as Counsel of Record

Withdrawn;

Journal Entry Details:

Mr. Walker appeared in proper person. At request of counsel, and there being no objection by Plaintiff, the Court did not rule and the Motion was WITHDRAWN.;

02/13/2020



Pre Trial Conference (10:15 AM) (Judicial Officer: Kishner, Joanna S.)

Matter Heard;

Journal Entry Details:

Court noted trial expected to last 2-3 days. Colloquy regarding scheduling. Court stated the case would be #3 on the stack. COURT ORDERED, jury trial and calendar call SET; joint pre-trial memorandum due March 17, 2020 by end of day. 3/24/2020 9:00 AM CALENDAR CALL 4/1/2020 9:00 AM JURY TRIAL;

02/25/2020



Motion in Limine (9:00 AM) (Judicial Officer: Kishner, Joanna S.)

Defendants' Motion in Limine to Exclude Document

Motion Granted;

Journal Entry Details:

Court noted no opposition to the motion and indicated it had told Mr. Walker multiple times if he does not show the original document, it was inclined to grant the motion. At the request of Mr. Walker, MATTER TRAILED for production of document. MATTER RECALLED. Mr. Walker no longer present. Court stated it had instructed Mr. Walker to provide Mr. Roberts the document at issue. Argument in support of the motion by Mr. Roberts. Pursuant to EDCR 2.20, COURT ORDERED, motion GRANTED, noting Mr. Walker had requested matter be trailed for the production of document but did not return to Court.;

03/10/2020

CANCELED Calendar Call (9:00 AM) (Judicial Officer: Kishner, Joanna S.)

Vacated

03/16/2020

CANCELED Jury Trial (9:00 AM) (Judicial Officer: Kishner, Joanna S.)

Vacated

CASE SUMMARY

CASE NO. A-18-783375-C

03/24/2020	CANCELED Calendar Call (9:00 AM) (Judicial Officer: Kishner, Joanna S.) <i>Vacated</i>
04/01/2020	CANCELED Jury Trial (9:00 AM) (Judicial Officer: Kishner, Joanna S.) <i>Vacated</i>
07/07/2020	 Status Check: Trial Setting (9:00 AM) (Judicial Officer: Kishner, Joanna S.) Matter Heard; Journal Entry Details: <i>Thomas Walker, Plaintiff and Counter Defendant, appearing Pro-Se. Court noted this matter was set for Status Check: Trial Setting. Mr. Roberts and Mr. Walker advised the October 12, 2020 trial stack was acceptable. Upon Court's inquiry, Mr. Walker advised he is not amendable with a Settlement Conference.;</i>
09/10/2020	 Pre Trial Conference (10:15 AM) (Judicial Officer: Kishner, Joanna S.) Trial Date Set; Journal Entry Details: <i>Counsel agreed to reset the trial due to Covid 19 pandemic. COURT ORDERED, trial dates VACATED and RESET. 12/17/20 9:00AM STATUS CHECK 1/5/21 9:00AM CALENDAR CALL 1/20/21 9:00AM JURY TRIAL ;</i>
10/06/2020	CANCELED Calendar Call (9:00 AM) (Judicial Officer: Kishner, Joanna S.) <i>Vacated</i>
10/12/2020	CANCELED Jury Trial (9:00 AM) (Judicial Officer: Kishner, Joanna S.) <i>Vacated</i>
10/29/2020	 Show Cause Hearing (9:00 AM) (Judicial Officer: Kishner, Joanna S.) Matter Heard; Journal Entry Details: <i>Court stated this matter was on for a show cause hearing based on the previous order of May 2020, wherein the Plaintiff was ordered to pay restitution of \$700 each month on the 15th day, to be held in trust until the resolution of the case. Mr. Roberts concurred with the Court's assessment and advised no payments have been made and the Plaintiff had not provided an excuse for non-payment or communicated with Mr. Roberts. Upon Court's inquiry, Mr. Walker advised he had made no payments since he was waiting on transcripts from prior hearings and the COVID-19 pandemic affected his ability to obtain employment. Further, Mr. Walker requested a 2 week continuance. Further arguments by Mr. Roberts in support of the merits of the Motion. Following arguments, Court stated its FINDINGS and ORDERED, matter SET for evidentiary hearing regarding contempt. 11/05/2020 1:00 PM EVIDENTIARY HEARING RE: CONTEMPT ;</i>
11/05/2020	 Evidentiary Hearing (1:00 PM) (Judicial Officer: Kishner, Joanna S.) <i>Evidentiary Hearing Re: Contempt</i> Matter Heard; Journal Entry Details: <i>Mr. Roberts advised that Mr. Walker had made payment and was current through October and the next payment was due November 15th. Court does not find Mr. Walker in contempt of Court and will reserve ruling of attorney fees and costs in conjunction with this hearing. Colloquy regarding settlement conference. At the agreement of the parties, COURT ORDERED, parties to participate in a Mandatory Settlement Conference with a Senior Judge.;</i>
12/08/2020	 Settlement Conference (9:00 AM) (Judicial Officer: Barker, David) Not Settled; Journal Entry Details: <i>A settlement conference was held in front of the Honorable David Barker in which the case was unable to be settled.;</i>
12/17/2020	

CASE SUMMARY

CASE NO. A-18-783375-C



Status Check: Trial Readiness (9:00 AM) (Judicial Officer: Kishner, Joanna S.)

Matter Heard;

Journal Entry Details:

Status provided. Mr. Walker requested to amend the Complaint to narrow down the claims and to reopen discovery. Objection o reopening discovery, by Mr. Roberts. Court instructed Mr. Walker to submit a Motion to Amend the Complaint and advised discovery would not be reopened. Mr. Walker stated he preferred a Jury Trial. Mr. Roberts did not object to a Bench Trial. Court advised that a trial date will be reset in March or April 2021 and will send out a scheduling order. Mr. Roberts noted that \$700.00 a month payments were now being made by Plaintiff. Court instructed Plaintiff to keep payments current.;

01/12/2021

CANCELED Calendar Call (9:00 AM) (Judicial Officer: Kishner, Joanna S.)

Vacated

01/20/2021

CANCELED Jury Trial (9:30 AM) (Judicial Officer: Kishner, Joanna S.)

Vacated

03/09/2021



Motion for Judgment (9:00 AM) (Judicial Officer: Kishner, Joanna S.)

Defendants' Motion for Judgment on the Pleadings

Granted in Part;

Journal Entry Details:

All parties present via Blue Jeans. Mr. Roberts argued in support of the instant Motion, stating that a number of the causes of action were based upon criminal statutes. Additionally, Mr. Roberts argued that four or five of the causes of action were based upon the putative contract, which was excluded by the granting of a Motion in Limine. Upon Court's inquiry, Mr. Walker stated that he filed an Opposition; however, it was filed in the middle of the night on March 8, 2021. The Court advised that such a late filing was not fair to the other side, noting that, although Mr. Walker had been granted some leniency due to his pro per status, he must follow the rules. Mr. Walker stated that he filed for an extension of time on March 8, 2021. Mr. Walker argued in opposition, citing multiple cases in support. The Court noted that Mr. Walker could not cite multiple cases, when said cases were improper as to timing, and did not relate to the issues at hand. Based upon arguments by Mr. Walker, the Court inquired as to the Grimes Defendants, whether they made an admission in a written document that they no longer owned the property, and had no standing to pursue the instant case. Mr. Roberts answered the Court's inquiry in the negative, stating that there had been no admission that the property had ever been purchased by Mr. Walker, nor was there ever any intent to make that admission. The COURT DIRECTED Mr. Walker to find the title of the document he was referencing. Mr. Roberts stated that the objection regarding the lack of timeliness to any opposition Mr. Walker may bring. Mr. Walker indicated that he was referring to the Defendants' 1st Amended Answer to Plaintiffs' Complaint, date December 17, 2018, page 2, line 12. Matter trailed to allow the Court to hear another case. Matter recalled. Mr. Roberts stated there was an indication that Defendants admitted to the allegations set forth in paragraph 204, the substance of said paragraph being that on or about August 13, 2018, Defendant Floyd Grimes, and his wife Elizabeth Grimes, acting as trustees for the trust, conveyed the property to Defendant Jalee Arnone; however, in the middle of that paragraph, there was the phrase "purchased by Plaintiff". Mr. Roberts clarified there was no intention to admit Plaintiff purchased the property, as he had provided no documents to show that he purchased the property; therefore, the phrase "purchased by Plaintiff" could be removed. Upon Court's inquiry regarding whether the movant wished for the Court to rule on the instant Motion, or withdraw it without prejudice, Mr. Roberts stated that there was no understanding as to how the untimely assertion by Mr. Walker related to any of the claims in the instant Motion. The Court having reiterated its questions, Mr. Roberts stated that it would submit on the pleadings, and have the Court rule on the instant Motion. At the request of the Court, Mr. Walker read paragraph 204 into the record. COURT ORDERED Defendants' Motion for Judgment on the Pleadings was hereby GRANTED IN PART / DENIED IN PART, FINDING and ORDERING the following: (1) the portions of the instant Motion which were granted, were granted substantively, and pursuant to EDCR 2.20, due to the failure to timely file an Opposition; (2) GRANTED as to the first cause of action, as it was a criminal action; (3) DENIED WITHOUT PREJUDICE as to the second cause of action, as there were potential issues regarding whether there was an admission as to ownership; (4) GRANTED as to the third cause of action, as there was no government action asserted in the instant case; (5) GRANTED as to the fourth cause of action, as there was no public action in the instant case; (6) GRANTED as the fifth cause of action, as it was a criminal cause of action; (7) DENIED WITHOUT PREJUDICE as to the sixth cause of action; (8) GRANTED as to the seventh cause of action, as there was no tortious breach of contract

CASE SUMMARY

CASE NO. A-18-783375-C

alleged; (9) *DENIED WITHOUT PREJUDICE* as to the eighth cause of action, as there were potential disputes over title; (10) *GRANTED* as to the ninth cause of action, as duplicative of the eighth cause of action; (11) *GRANTED* as to the tenth cause of action, as intent had not been shown under the applicable statutes and case law; (12) *GRANTED* as to the eleventh cause of action; while there was an assertion in the Answer, it was an inadvertent error, and the Plaintiff had failed to establish anything; (13) *GRANTED* as to twelfth cause of action, as Plaintiff had failed to show that he was induced into anything; (14) *GRANTED* as to the thirteenth cause of action, as Plaintiff had failed to meet the elements of the causes of action; (15) *GRANTED* as to the fourteenth cause of action, as fraud had not been pled with particularity as required under Rule 9 and NRS 112.180; (16) *GRANTED* as to the fifteenth cause of action, as there was no personal property at issue; (17) *DENIED WITHOUT PREJUDICE* as to the sixteenth cause of action, as there was an question as to whether there was or was not a contract, and as to who did or did not have the property; (18) *GRANTED* as to the seventeenth cause of action, as there was no personal property, and it was duplicative of the fifteenth cause of action; (19) *GRANTED* as to the eighteenth cause of action, as the elements had not been met; (20) *GRANTED* as to the nineteenth cause of action, as an underlying tort had not been asserted; (21) *GRANTED* as to the twentieth cause of action, as duplicative of the sixteenth cause of action; (22) *GRANTED* as to the twenty-first cause of action, as it was a criminal cause of action; (23) *GRANTED* as to the twenty-second cause of action, as the Plaintiff had not asserted any writing, conditions, etc. under NRS 598.0923(5), at the time the Plaintiff alleged the property was sold to the Plaintiff; and (24) *GRANTED* as to the twenty-third cause of action, as it was duplicative of the eighteenth cause of action. Counsel for the movant to prepare the written Order, and forward it to opposing counsel for approval as to form and content. Mr. Roberts advised that he would be filing a Motion to amend the Answer with respect to the error discussed earlier in the proceedings. CLERK'S NOTE: Minute order prepared by Kristin Duncan via JAVS. (KD 4/7/21);

03/18/2021



Pre Trial Conference (10:15 AM) (Judicial Officer: Kishner, Joanna S.)

Trial Date Set;

Journal Entry Details:

Upon Court's inquiry, as to a trial May 3rd through May 7th at the Convention Center. Mr. Walker and Mr. Roberts noted that met their needs. COURT NOTED Department 27 would coordinate the scheduling of the Convention Center trial. Mr. Roberts anticipated four (4) days for trial with five (5) witnesses. Mr. Walker indicated he did not have any witnesses and planned to testify on his own behalf. COURT NOTED the trial would have six (6) witnesses and take five (5) or (6) days. Mr. Roberts advised he had less than 100 pages of exhibits. Mr. Walker indicated he had the same amount. COURT FURTHER NOTED it would send to the parties a memorandum with a link to submit exhibits. Upon Court's inquiry, Mr. Walker and Mr. Roberts acknowledged they understood they would need to schedule a Meet and Confer. COURT ORDERED, Calendar Call SET for April 20, 2021 at 9:00 a.m. At that Calendar Call exhibits and the Convention Center trial would be discussed. Further, Jury Selection would commence before April 29, 2021 at Jury Selection Services. Following that, a Jury Trial would follow around May 3rd at the Convention Center. Mr. Walker indicated possibly vacating the Writ of Restitution. Mr. Roberts noted the Defense would not stipulate. COURT NOTED if there was an issue than they would need to file an appropriate motion. 04/20/21 9:00 AM CALENDAR CALL 05/03/21 JURY TRIAL (TENTATIVE) CONVENTION CENTER;

04/13/2021

CANCELED Calendar Call (8:45 AM) (Judicial Officer: Kishner, Joanna S.)

Vacated - per Judge

04/19/2021

CANCELED Jury Trial (9:00 AM) (Judicial Officer: Kishner, Joanna S.)

Vacated - per Judge

04/20/2021



Calendar Call (9:00 AM) (Judicial Officer: Kishner, Joanna S.)

Matter Heard;

Journal Entry Details:

Court advised the trial could not go forward and would need to be reset. Colloquy regarding scheduling. Mr. Roberts noted defense was willing to have a bench trial. Mr. Walker stated he wanted a jury trial. Court stated a jury trial would be set. Further colloquy. COURT ORDERED, trial date reset for 6/1/2021. COURT NOTED, if parties have an issue they need to file a proper motion in order for the Court to hear. Court advised a new calendar call would be issued. 06/01/2021 JURY TRIAL (TENTATIVE CONVENTION CENTER);

05/03/2021

CANCELED Jury Trial (9:00 AM) (Judicial Officer: Kishner, Joanna S.)

CASE SUMMARY

CASE NO. A-18-783375-C

Vacated - per Judge

TENTATIVE - CONVENTION CENTER

05/18/2021



Calendar Call (9:00 AM) (Judicial Officer: Kishner, Joanna S.)

05/18/2021, 05/20/2021

Matter Continued;

Matter Heard;

Journal Entry Details:

Court noted this was the continuation of the calendar call. Colloquy regarding trial process. Colloquy regarding whereabouts of Plaintiff's proposed exhibits and jury questions. Mr. Walker stated they were being delivered. Further colloquy regarding the trial process. Court stated matter would need to be trailed in order for Court to continue with its calendar. MATTER TRAILED until 11:00 AM. MATTER RECALLED at 11:43 AM: all parties present as before. Plaintiff's proposed exhibits and jury question packet not received. Colloquy regarding Court and Defendant's jury questions. Parties had no objection to Court's jury questions. Mr. Walker had no objection to Defendant's jury questions. Upon Court's noted concern, Mr. Roberts withdrew jury question #33. Colloquy regarding Defendant's proposed exhibit E. Mr. Walker stipulated to exhibit E. Colloquy regarding Plaintiff's proposed exhibits. Parties agreed and stipulated that Plaintiff's exhibit #1 and Defendant's exhibit D were the same document. Mr. Roberts stipulated to exhibit 6, Clark County Assessor Records. COURT NOTED, Plaintiff's proposed exhibits would have numbers 1-15 and Defendant's proposed exhibits would be numbers 16-20. Further colloquy regarding Plaintiff's proposed exhibits of video transcripts. COURT ADMONISHED Plaintiff regarding not submitting exhibits timely, RESERVED its ruling on striking for failure to follow the Court's order and RESERVED all aspects with regards to the video transcripts. Mr. Walker orally requested to submit paper exhibits; Court GRANTED Mr. Walker's request and stated it would evaluate the submission.;

Matter Continued;

Matter Heard;

Journal Entry Details:

Court noted it received the Pre Trial Memorandums and inquired if the Plaintiff wanted to use the memorandum dated 5/14/2021. Mr. Walker concurred. Mr. Walker stated Mr. Roberts was supposed to send him an email with the information they discussed at the 2.67 meeting however he has not received it. Mr. Roberts stated he thought it was sent. Upon Court's inquiry, Mr. Roberts advised he submitted his proposed exhibits to the court email address. Mr. Walker stated he had not seen Defendant's exhibits. Colloquy regarding Defendant's proposed exhibits. Mr. Walker reviewed Defendant's proposed exhibits. He stipulated to Defendant's exhibit A, B, C and D; as for proposed exhibit E, he requested additional time for review. Upon Court's inquiry, Mr. Walker stated he would submit his proposed exhibits to the DC evidence email. MATTER TRAILED. MATTER RECALLED: all parties present as before. Mr. Walker stated he needed more time to submit his proposed exhibits. Colloquy regarding Plaintiff's proposed exhibits listed in the pretrial memorandum dated 5/14/2021. Court directed Mr. Walker to submit exhibits today and advising that it also needs his proposed jury instruction and he needed to exchange exhibits with Mr. Roberts. Colloquy regarding trial procedures relating to Covid-19 restrictions, jury selection and peremptory challenges; parties agreed to 5 peremptory challenges each. Mr. Roberts advised they 3 witnessess appearing by video; Court directed him to file an out of state video appearance form for each person. Court CONFIRMED trial date was 6/1/2021 at 9:00 AM and ORDERED, matter CONTINUED. CONTINUED TO: 05/20/2021 8:30 AM;

05/26/2021



Request of Court (9:30 AM) (Judicial Officer: Kishner, Joanna S.)

Request of the Court - Jury Selection

Trial Continues;

Journal Entry Details:

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY: COURT INSTRUCTED parties regarding jury selection and trial procedures. Court reviewed Plaintiff's voir dire questions and had concerns with #8, colloquy. Plaintiff withdrew question #8. Mr. Roberts had no objections. IN THE PRESENCE OF THE PROSPECTIVE JURY: Roll Call. Clerk swore prospective jury panel. General Voir Dire conducted. BENCH CONFERENCE IN THE PRESENCE OF THE PROSPECTIVE JURY: Jury panel selected and sworn. COURT ADMONISHED and EXCUSED the jury for the evening. COURT ORDERED, trial CONTINUED. CONTINUED TO: 06/01/2021 9:00 AM (DEPT. 31);

06/01/2021

CANCELED Jury Trial (9:00 AM) (Judicial Officer: Kishner, Joanna S.)

Vacated - Set in Error

CASE SUMMARY

CASE NO. A-18-783375-C

Tentative at convention center

06/01/2021



Jury Trial - FIRM (9:00 AM) (Judicial Officer: Kishner, Joanna S.)

06/01/2021-06/03/2021

Tentative at the Convention Center

Trial Continues;

Trial Continues;

Verdict;

Verdict reached - 6/3/2021

Journal Entry Details:

OUTSIDE THE PRESENCE OF THE JURY: Mr. Roberts advised Defendant Jalee Arnone was present in the courtroom. Colloquy regarding jury instruction #12; parties stipulate to delete jury instruction #12. IN THE PRESENCE OF THE JURY: Closing statements by Mr. Walker and Mr. Roberts. Alternate juror #9 excused. Jury started deliberation at the hour of 10:23 a.m. Verdict returned at the hour of 12:00 p.m. with the verdict in favor of the Counter Claimant. The Court thanked and excused the Jury. Clerk returned Plaintiff's unoffered DVD exhibits to Mr. Walker.;

Trial Continues;

Trial Continues;

Verdict;

Verdict reached - 6/3/2021

Journal Entry Details:

OUTSIDE THE PRESENCE OF THE JURY: Colloquy regarding agreed upon jury instructions and verdict form. COURT FINDS, Mr. Walker in violation of NRCP 16.1(f) for being unprepared. Following colloquy, Mr. Walker requested WBG Trust, Elizabeth Grimes, Jalee Arnone, Peter Arnone and Roes and Does be dismissed without prejudice from the complaint. Mr. Roberts stipulated to all dismissals. As for the counterclaimants, Mr. Roberts requested Roes and Does be dismissed with prejudice. Mr. Walker stipulated. Mr. Walker orally requested to have Jalee Arnone remain as to declaratory relief. Mr. Roberts objected to the request. COURT stated its FINDINGS, and ORDERED, Jalee Arnone would remain as to declaratory relief and all other dismissals GRANTED. Court noted the counterclaimants had 6 causes of action however only 2 were indicated in the jury form. Mr. Roberts stated as to the counterclaim breach of contract, breach of covenant and slander of title were abandoned for all purposes. Mr. Walker stipulated. COURT GRANTED. Further colloquy regarding jury instructions, Mr. Walker requested opposed Plaintiff jury instruction P-29 be entered. Mr. Roberts argued in opposition. COURT GRANTED Mr. Walker's request. IN THE PRESENCE OF THE JURY: Plaintiff rebuttal. Witness testimony. (See worksheets). Counterclaimants case started. Witness testimony. (See worksheets). OUTSIDE PRESENCE OF THE JURY: Further colloquy regarding jury instructions. Mr. Walker orally requested motion for a finding of fact that he was a purchaser of the property. Argument by Mr. Walker. COURT DENIED Plaintiff's oral motion. IN THE PRESENCE OF THE JURY: Witness testimony. (See worksheets). Counterclaimants rested. OUTSIDE THE PRESENCE OF THE JURY: Jury instructions SETTLED. Colloquy regarding scheduling. IN THE PRESENCE OF THE JURY: Court instructed the jury. Following bench conference, parties agreed to omit jury instruction #12. COURT ADMONISHED and EXCUSED the jury for the evening. COURT ORDERED, trial CONTINUED. OUTSIDE THE PRESENCE OF THE JURY: Mr. Roberts stated he would provide an updated page to omit jury instruction #12, to be added tomorrow morning. Colloquy regarding admitted exhibits. Parties agreed exhibit 1 and exhibit 19 were duplicative and exhibit 19 would be presented to the jury. Court stated exhibits 6, 16, 17, 18, 19 and 20 would go to the jury and RELEASED any unoffered exhibits to the parties after closing arguments. COURT FINDS, dismissal was not appropriate as there was sufficient evidence to send to the matter to the jury and ORDERED, Defendant's Rule 50 motion denied. However, pursuant to EDCR 7.60 (a), NRCP 37 and 16.1(f) COURT FINDS a sanction was appropriate and FURTHER ORDERED, Plaintiff to pay an hour and a half of Defendant's attorney's fees for a total of \$375.00, payable within FOURTEEN (14) DAYS from today. Mr. Roberts to prepare an order, circulate to opposing party and submit to the department in box. CONTINUED TO: 06/03/2021 9:15 AM;

Trial Continues;

Trial Continues;

Verdict;

Verdict reached - 6/3/2021

Journal Entry Details:

OUTSIDE PRESENCE OF THE JURY: Plaintiff, Mr. Walker, not present. Court noted parties were instructed to be present at 8:30 AM this morning. Court further stated Mr. Walker had not provided notification to the department of his tardiness. Department staff advised Court an

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-18-783375-C

email was received at 8:33 AM stating Mr. Walker was on his way. Upon Court's inquiry, Mr. Roberts advised he received the same email. Mr. Roberts orally requested Court dismiss the complaint and all remaining counts against the Defendants. COURT FINDS it appropriate upon Mr. Walker's arrival to place him on notice to defend his position. Colloquy concerning witnesses appearing on Bluejeans and their ability to view exhibits. Plaintiff, Mr. Walker, present at 9:27 AM Court ADMONISHED Plaintiff for being late and inquired as to the cause of his tardiness. Mr. Walker apologized and provided his cause. Arguments by Mr. Roberts and Mr. Walker regarding dismissing the complaint. COURT FINDS it appropriate to move forward as neither side would be prejudiced against and ORDERED, decision DEFERRED; ADVISED Plaintiff if the case continued he could have to pay for Defendant's attorney's fees. Mr. Walker understood and wanted to proceed. Previously stipulated exhibits admitted. IN THE PRESENCE OF THE JURY: Roll call. Exclusionary Rule INVOKED. Opening statements by Mr. Walker and Mr. Roberts. Witness testimony. (See worksheets). Plaintiff rested. OUTSIDE PRESENCE OF THE JURY: Mr. Walker orally requested a motion to stipulate he was a purchaser of the property. Colloquy regarding the motion. Mr. Roberts orally requested a Rule 50 directed verdict. Court allowed Plaintiff time to prepare a response in opposition of a directed verdict. Arguments by Mr. Walker and Mr. Krawczyk. COURT stated its FINDINGS and ORDERED, directed verdict GRANTED on the Slander of Title and Quantum Meruit Cause of Actions and DEFERRED decision on the Breach of Contract and Declaratory Relief Cause of Actions. IN THE PRESENCE OF THE JURY: Witness testimony. (See worksheets). Defendant rested. COURT ADMONISHED and EXCUSED the jury for the evening. COURT ORDERED, trial CONTINUED. OUTSIDE THE PRESENCE OF THE JURY: Colloquy regarding jury instructions. COURT INSTRUCTED parties to met and confer regarding jury instructions and a joint verdict form. CONTINUED TO: 06/02/2021 8:30 AM;

DATE

FINANCIAL INFORMATION

Counter Claimant Grimes, Floyd Wayne

Total Charges	343.00
Total Payments and Credits	343.00
Balance Due as of 7/26/2021	0.00

Counter Defendant Walker, Thomas

Total Charges	69.50
Total Payments and Credits	69.50
Balance Due as of 7/26/2021	0.00

A-18-783375C

XXXT

DISTRICT COURT CIVIL COVER SHEET

County, Nevada

Case No. _____

(Assigned by Clerk's Office)

I. Party Information (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone):

Thomas Walker
 6253 Rocky Mountain Avenue
 Las Vegas, Nevada 89156
 (702) 619-1256 twalker.civil3@gmail.com

Defendant(s) (name/address/phone):

Floyd Reimes
 6838 Suncroft Avenue
 Las Vegas, Nevada 89156

Attorney (name/address/phone):

Pro Se

Attorney (name/address/phone):

Unknown

II. Nature of Controversy (please select the one most applicable filing type below)**Civil Case Filing Types**

Real Property	Negligence	Torts
Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant Title to Property <input type="checkbox"/> Judicial Foreclosure <input checked="" type="checkbox"/> Other Title to Property Other Real Property <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence Malpractice <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	Other Torts <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input checked="" type="checkbox"/> Other Tort
Probate	Construction Defect & Contract	Judicial Review/Appeal
Probate (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate Estate Value <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect Contract Case <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	Judicial Review <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency Nevada State Agency Appeal <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency Appeal Other <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
Civil Writ		Other Civil Filing
Civil Writ <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ		Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

Business Court filings should be filed using the Business Court civil coversheet.

10/10/18

Date

Signature of initiating party or representative

See other side for family-related case filings.

A-18-783375-C
 CCS
 Civil Cover Sheet
 4791266



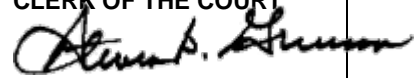
m PA 201
 , Rev 3.1

Nevada AOC - Research Statistics Unit
 Pursuant to NRS 3.275

RECEIVED

OCT 11 2018

CLERK OF THE COURT



ORD
KENNETH M. ROBERTS, ESQ.
Nevada Bar No. 004729
DEMPSEY, ROBERTS & SMITH, LTD
1130 Wigwam Parkway
Henderson, Nevada 89074
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KenRoberts@drsLtd.com (Email)
Attorneys for Defendants

DISTRICT COURT
CLARK COUNTY, NEVADA

THOMAS WALKER,

Plaintiff,

vs.

FLOYD WAYNE GRIMES, an individual,
VICTORIA JEAN HALSEY, an individual,
JALEE ARNONE, an individual,

Defendant.

CASE NO.: A-18-783375-C
DEPT. NO.: 31

FLOYD WAYNE GRIMES, an individual, JALEE
ARNONE, an individual,

Counterclaimants,

vs.

THOMAS WALKER, an individual,
Counterdefendants.

JUDGMENT ON JURY VERDICT

This action came on for trial before the Court and a jury, with Honorable Joanna S. Kishner,
District Court Judge, presiding and the issues have been duly tried and the jury having rendered its
verdict,

Non-Jury (Disposed after trial start)	Jury (Disposed after trial start)
Non-Jury (Judgment reached)	Jury – Verdict reached
Transferred before trial	Other -

1 IT IS ORDERED AND ADJUDGED that Plaintiff THOMAS WALKER take nothing on all
2 claims alleged in his complaint.

3 IT IS FURTHER ORDERED AND ADJUDGED THAT Counterclaimant JALEE ARNONE,
4 is the current title holder to 6253 Rocky Mountain Avenue, Las Vegas, Nevada 89156. As title holder,
5 JALEE ARNONE is granted an injunction removing Counterdefendant THOMAS WALKER from the
6 property.

 6/22/21

7
8
9
10 Submitted by:

11 DEMPSEY, ROBERTS & SMITH, LTD.

12 By: /s/Kenneth Roberts
13 KENNETH M. ROBERTS, ESQ.
14 Attorney for Defendants/counterclaimants

15 Approved as to Form and Content:

16 _____
Thomas Walker

Date

DISTRICT COURT
CLARK COUNTY, NEVADA

JUN 03 2021

BY Kathryn L. McDowell
KATHRYN L. MCDOWELL, DEPUTY

THOMAS WALKER, an individual,

Plaintiff,

vs.

FLOYD W. GRIMES, an individual,
VICTORIA JEAN HALSEY, an individual,
JALEE ARNONE, an individual,

Defendants.

FLOYD W. GRIMES, an individual, JALEE
ARNONE, an individual,

Counterclaimants,

vs.

THOMAS WALKER, an individual,

Counter-Defendant.

CASE NO. A-18-783375-C

Dept. No. 31

A-18-783375-C
SJV
Special Jury Verdict
4956456



SPECIAL VERDICT FORM

1. Has Plaintiff Thomas Walker established that he entered into an enforceable contract with Defendant Floyd Grimes on January 15, 2005, to purchase the property located at 6253 Rocky Mountain Avenue, Las Vegas, Nevada, 89156?

ANSWER: YES _____ NO X

If you answered "NO," to Question No. 1 above, you do not need to provide answers to questions 2 through 4 below. (Otherwise proceed to Question No. 2.)

2. If you answered "YES" to Question No. 1, do you find from a preponderance of the evidence that Plaintiff Thomas Walker is entitled to a declaration from this Court that he is to be named the owner of 6253 Rocky Mountain Avenue, Las Vegas, Nevada 89156?

ANSWER: YES _____ NO _____

n/a

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY
1155 EAST 58TH STREET

CHICAGO, ILL. 60637

PROFESSOR J. H. HARRIS
UNIVERSITY OF CHICAGO

3. If you answered "YES" to Question No. 1, do you find from a preponderance of the evidence that Defendant Floyd Grimes breached a contract with Plaintiff Thomas Walker for the sale/purchase of 6253 Rocky Mountain Avenue, Las Vegas, Nevada, 89156?

ANSWER: YES _____ n/a NO _____

4. If you answered "YES" to Question No. 3, do you find from a preponderance of the evidence that Plaintiff Thomas Walker suffered damages?

ANSWER: YES _____ n/a NO _____

If so, what amount of money do you find should be awarded to Plaintiff Thomas Walker and against Defendant Floyd Grimes?

\$ _____ n/a
(Answer in Dollars and Cents)

5. Has Plaintiff Thomas Walker established that he entered into an enforceable contract with Defendant Victoria Halsey on January 15, 2005 to purchase the property located at 6253 Rocky Mountain Avenue, Las Vegas, Nevada, 89156?

ANSWER: YES _____ NO X

If you answered "NO," to Question No. 5 above, you do not need to provide answers to questions 6 and 7 below. (Otherwise proceed to Question No. 6.)

6. If you answered "YES" to Question No. 5, do you find from a preponderance of the evidence that Defendant Victoria Halsey breached a contract with Plaintiff Thomas Walker for the sale/purchase of 6253 Rocky Mountain Avenue, Las Vegas, Nevada, 89156?

ANSWER: YES _____ n/a NO _____

7. If you answered "YES" to Question No. 6, do you find from a preponderance of the evidence that Plaintiff Thomas Walker suffered damages?

ANSWER: YES _____ n/a NO _____

If so, what amount of money do you find should be awarded to Plaintiff Thomas Walker and against Defendant Victoria Halsey?

\$ _____ (Answer in Dollars and Cents)

VERDICT FOR COUNTERCLAIMS.

8. Has Counterclaimant Floyd Grimes established a claim of unjust enrichment against Counter-Defendant Thomas Walker as to Thomas Walker's having continuously resided at 6253 Rocky Mountain Avenue, Las Vegas, Nevada 89156 without paying rent during the time Mr. Grimes owned the property prior to August 10, 2018?

ANSWER: YES _____ NO X

If so, what amount of money do you find should be awarded to Counterclaimant Floyd Grimes against Counter-Defendant Thomas Walker for unjust enrichment?

\$ 7/9 (Answer in Dollars and Cents)

9. Has Counterclaimant Jalee Arnone established a claim of unjust enrichment against Counter-Defendant Thomas Walker as to Thomas Walker's having continuously resided at 6253 Rocky Mountain Avenue, Las Vegas, Nevada 89156 without paying rent during the time Ms. Arnone owned the property, from August 10, 2018, to the present?

ANSWER: YES _____ NO X

If so, what amount of money do you find should be awarded to Counterclaimant Jalee Arnone against Counter-Defendant Thomas Walker for unjust enrichment?

\$ 7/9 (Answer in Dollars and Cents)

10. Do you find from a preponderance of the evidence that Counterclaimant Jalee Arnone, as the current holder of title to 6253 Rocky Mountain Avenue, Las Vegas, Nevada 89156, is entitled to an injunction removing Counterdefendant Thomas Walker from the property?

ANSWER: YES X NO _____

11. Has Counterclaimant Floyd Grimes established a claim for unlawful detainer against Counter-Defendant Thomas Walker as to Walker's refusal to vacate 6253 Rocky Mountain Avenue, Las Vegas, Nevada 89156 after being served with notice to do so?

ANSWER: YES _____ NO X

If so, what amount of money do you find should be awarded to Counterclaimant Floyd Grimes against Counter-Defendant Thomas Walker for unlawful detainer?

\$ 7/4 (Answer in Dollars and Cents)

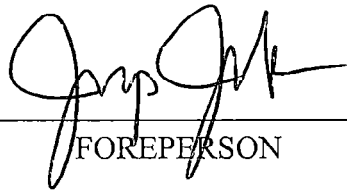
12. Has Counterclaimant Jalee Arnone established a claim for unlawful detainer against Counter-Defendant Thomas Walker as to Walker's refusal to vacate 6253 Rocky Mountain Avenue, Las Vegas, Nevada 89156 after being served with notice to do so?

ANSWER: YES _____ NO X

If so, what amount of money do you find should be awarded to Counterclaimant Jalee Arnone against Counter-Defendant Thomas Walker for unlawful detainer?

\$ n/a (Answer in Dollars and Cents)

Dated this 3 day of June 2021.



FOREPERSON

From: [Elsa McMurtry](#)
To: [DC31Inbox](#)
Subject: A-18-783375-C - ORDR - WALKER v. Grimes
Date: Tuesday, June 22, 2021 8:35:41 AM
Attachments: [Judgment on Jury Verdict.pdf](#)

[NOTICE: This message originated outside of Eighth Judicial District Court -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Good morning,

Attached please find the Judgment on the Verdict from the trial.

The judgment is being submitted without Plaintiff's signature. The judgment was served on Mr. Walker on 6/14/2021 2:01 PM via Odyssey. Mr. Walker opened the document on 6/17/2021 12:23 PM. We have not received the signed copy of the judgment from Mr. Walker, nor have we received correspondence stating he does not agree with the judgment as proposed.

Service Documents

File Name	Security	Download
Letter w judgment.pdf		Original File Court Copy

eService Details

Status	Name	Firm	Served	Date Opened
Sent	Thomas Walker		Yes	6/17/2021 12:23 PM PST

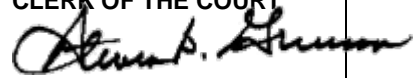
If you have any questions or concerns, please do not hesitate to contact this office.

ELSA MCMURTRY - PARALEGAL
DEMPSEY, ROBERTS, & SMITH, LTD.
1130 WIGWAM PARKWAY
HENDERSON, NEVADA 89074
TELEPHONE: (702) 388-1216 ext. 254
FACSIMILE: (702) 388-2514
ElsaMcMurtry@drltd.com

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-
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ORD
KENNETH M. ROBERTS, ESQ.
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(702) 388-2514 (Facsimile)
KenRoberts@drs ltd.com (Email)
Attorneys for Defendants

DISTRICT COURT
CLARK COUNTY, NEVADA

THOMAS WALKER,

Plaintiff,

vs.

FLOYD WAYNE GRIMES, an individual,
VICTORIA JEAN HALSEY, an individual,
JALEE ARNONE, an individual,

Defendant.

CASE NO.: A-18-783375-C
DEPT. NO.: 31

FLOYD WAYNE GRIMES, an individual, JALEE
ARNONE, an individual,

Counterclaimants,

vs.

THOMAS WALKER, an individual,
Counterdefendants.

JUDGMENT ON JURY VERDICT

This action came on for trial before the Court and a jury, with Honorable Joanna S. Kishner,
District Court Judge, presiding and the issues have been duly tried and the jury having rendered its
verdict,

Non-Jury (Disposed after trial start)	Jury (Disposed after trial start)
Non-Jury (Judgment reached)	Jury – Verdict reached
Transferred before trial	Other -

1 IT IS ORDERED AND ADJUDGED that Plaintiff THOMAS WALKER take nothing on all
2 claims alleged in his complaint.

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4 is the current title holder to 6253 Rocky Mountain Avenue, Las Vegas, Nevada 89156. As title holder,
5 JALEE ARNONE is granted an injunction removing Counterdefendant THOMAS WALKER from the
6 property.

 6/22/21

7
8
9 Submitted by:

10 DEMPSEY, ROBERTS & SMITH, LTD.

11 By: /s/Kenneth Roberts
12 KENNETH M. ROBERTS, ESQ.
13 Attorney for Defendants/counterclaimants

14 Approved as to Form and Content:

15
16 Thomas Walker

Date

DISTRICT COURT
CLARK COUNTY, NEVADA

JUN 03 2021

BY Kathryn L. McDowell
KATHRYN L. MCDOWELL, DEPUTY

THOMAS WALKER, an individual,

Plaintiff,

vs.

FLOYD W. GRIMES, an individual,
VICTORIA JEAN HALSEY, an individual,
JALEE ARNONE, an individual,

Defendants.

FLOYD W. GRIMES, an individual, JALEE
ARNONE, an individual,

Counterclaimants,

vs.

THOMAS WALKER, an individual,

Counter-Defendant.

CASE NO. A-18-783375-C

Dept. No. 31

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SJV
Special Jury Verdict
4956456



SPECIAL VERDICT FORM

1. Has Plaintiff Thomas Walker established that he entered into an enforceable contract with Defendant Floyd Grimes on January 15, 2005, to purchase the property located at 6253 Rocky Mountain Avenue, Las Vegas, Nevada, 89156?

ANSWER: YES _____ NO X

If you answered "NO," to Question No. 1 above, you do not need to provide answers to questions 2 through 4 below. (Otherwise proceed to Question No. 2.)

2. If you answered "YES" to Question No. 1, do you find from a preponderance of the evidence that Plaintiff Thomas Walker is entitled to a declaration from this Court that he is to be named the owner of 6253 Rocky Mountain Avenue, Las Vegas, Nevada 89156?

ANSWER: YES _____ NO _____

n/a

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY
1155 EAST 58TH STREET

CHICAGO, ILL. 60637

PROFESSOR J. H. HARRIS
UNIVERSITY OF CHICAGO

3. If you answered "YES" to Question No. 1, do you find from a preponderance of the evidence that Defendant Floyd Grimes breached a contract with Plaintiff Thomas Walker for the sale/purchase of 6253 Rocky Mountain Avenue, Las Vegas, Nevada, 89156?

ANSWER: YES _____ n/a NO _____

4. If you answered "YES" to Question No. 3, do you find from a preponderance of the evidence that Plaintiff Thomas Walker suffered damages?

ANSWER: YES _____ n/a NO _____

If so, what amount of money do you find should be awarded to Plaintiff Thomas Walker and against Defendant Floyd Grimes?

\$ _____ n/a (Answer in Dollars and Cents)

5. Has Plaintiff Thomas Walker established that he entered into an enforceable contract with Defendant Victoria Halsey on January 15, 2005 to purchase the property located at 6253 Rocky Mountain Avenue, Las Vegas, Nevada, 89156?

ANSWER: YES _____ NO X

If you answered "NO," to Question No. 5 above, you do not need to provide answers to questions 6 and 7 below. (Otherwise proceed to Question No. 6.)

6. If you answered "YES" to Question No. 5, do you find from a preponderance of the evidence that Defendant Victoria Halsey breached a contract with Plaintiff Thomas Walker for the sale/purchase of 6253 Rocky Mountain Avenue, Las Vegas, Nevada, 89156?

ANSWER: YES _____ n/a NO _____

7. If you answered "YES" to Question No. 6, do you find from a preponderance of the evidence that Plaintiff Thomas Walker suffered damages?

ANSWER: YES _____ n/a NO _____

If so, what amount of money do you find should be awarded to Plaintiff Thomas Walker and against Defendant Victoria Halsey?

\$ _____ (Answer in Dollars and Cents)

VERDICT FOR COUNTERCLAIMS.

8. Has Counterclaimant Floyd Grimes established a claim of unjust enrichment against Counter-Defendant Thomas Walker as to Thomas Walker's having continuously resided at 6253 Rocky Mountain Avenue, Las Vegas, Nevada 89156 without paying rent during the time Mr. Grimes owned the property prior to August 10, 2018?

ANSWER: YES _____ NO X

If so, what amount of money do you find should be awarded to Counterclaimant Floyd Grimes against Counter-Defendant Thomas Walker for unjust enrichment?

\$ 7/9 (Answer in Dollars and Cents)

9. Has Counterclaimant Jalee Arnone established a claim of unjust enrichment against Counter-Defendant Thomas Walker as to Thomas Walker's having continuously resided at 6253 Rocky Mountain Avenue, Las Vegas, Nevada 89156 without paying rent during the time Ms. Arnone owned the property, from August 10, 2018, to the present?

ANSWER: YES _____ NO X

If so, what amount of money do you find should be awarded to Counterclaimant Jalee Arnone against Counter-Defendant Thomas Walker for unjust enrichment?

\$ 7/9 (Answer in Dollars and Cents)

10. Do you find from a preponderance of the evidence that Counterclaimant Jalee Arnone, as the current holder of title to 6253 Rocky Mountain Avenue, Las Vegas, Nevada 89156, is entitled to an injunction removing Counterdefendant Thomas Walker from the property?

ANSWER: YES X NO _____

11. Has Counterclaimant Floyd Grimes established a claim for unlawful detainer against Counter-Defendant Thomas Walker as to Walker's refusal to vacate 6253 Rocky Mountain Avenue, Las Vegas, Nevada 89156 after being served with notice to do so?

ANSWER: YES _____ NO X

If so, what amount of money do you find should be awarded to Counterclaimant Floyd Grimes against Counter-Defendant Thomas Walker for unlawful detainer?

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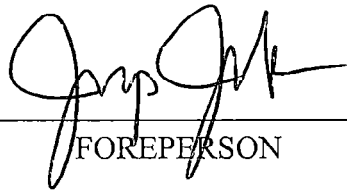
12. Has Counterclaimant Jalee Arnone established a claim for unlawful detainer against Counter-Defendant Thomas Walker as to Walker's refusal to vacate 6253 Rocky Mountain Avenue, Las Vegas, Nevada 89156 after being served with notice to do so?

ANSWER: YES _____ NO X

If so, what amount of money do you find should be awarded to Counterclaimant Jalee Arnone against Counter-Defendant Thomas Walker for unlawful detainer?

\$ n/a (Answer in Dollars and Cents)

Dated this 3 day of June 2021.



FOREPERSON

From: [Elsa McMurtry](#)
To: [DC31Inbox](#)
Subject: A-18-783375-C - ORDR - WALKER v. Grimes
Date: Tuesday, June 22, 2021 8:35:41 AM
Attachments: [Judgment on Jury Verdict.pdf](#)

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Good morning,

Attached please find the Judgment on the Verdict from the trial.

The judgment is being submitted without Plaintiff's signature. The judgment was served on Mr. Walker on 6/14/2021 2:01 PM via Odyssey. Mr. Walker opened the document on 6/17/2021 12:23 PM. We have not received the signed copy of the judgment from Mr. Walker, nor have we received correspondence stating he does not agree with the judgment as proposed.

Service Documents

File Name	Security	Download
Letter w judgment.pdf		Original File Court Copy

eService Details

Status	Name	Firm	Served	Date Opened
Sent	Thomas Walker		Yes	6/17/2021 12:23 PM PST

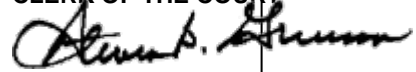
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ELSA MCMURTRY - PARALEGAL
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1130 WIGWAM PARKWAY
HENDERSON, NEVADA 89074
TELEPHONE: (702) 388-1216 ext. 254
FACSIMILE: (702) 388-2514
ElsaMcMurtry@drltd.com

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-
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1 NEOJ
2 KENNETH M. ROBERTS, ESQ.
3 Nevada Bar No. 4729
4 DAVID E. KRAWCZYK, ESQ.
5 Nevada Bar No. 12423
6 DEMPSEY, ROBERTS & SMITH, LTD.
7 1130 Wigwam Parkway
8 Henderson, Nevada 89074
9 Tel: 702-388-1216
10 Fax: 702-388-2514
11 E-Mail: kenroberts@drs ltd.com
12 Attorney for Defendants

8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 THOMAS WALKER,
11
12 Plaintiff,

13 vs.

CASE NO.: A-18-783375-C

14 FLOYD WAYNE GRIMES, an individual,
15 VICTORIA JEAN HALSEY, an individual
16 JALEE ARNONE, an individual,

DEPT. NO.: XXXI

16 Defendants.

17 All related matters.

18 **NOTICE OF ENTRY OF JUDGMENT**

19 **PLEASE TAKE NOTICE** that a judgment was duly entered in the above-
20 referenced case on the 23rd day of June 2021. A copy of which is attached hereto.
21

22 **DATED:** Henderson, Nevada this 25th day of June 2021.

23 /s/ Kenneth Roberts

24 KENNETH M. ROBERTS, ESQ.
25 Nevada Bar No.: 4729
1130 Wigwam Parkway
Henderson, Nevada 89074

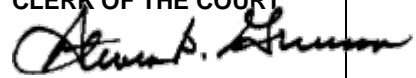
CERTIFICATE OF SERVICE

I certify that on the 25th day of June 2021, pursuant to EDCR 8.05(a) and 8.05(f), a copy of the foregoing was electronically served through the Eighth Judicial District Court's electronic filing system to the following parties:

Thomas Walker: twalkercivil3@gmail.com

/s/ *Elsa McMurtry*

Elsa McMurtry, an employee of
Dempsey, Roberts & Smith, Ltd.



ORD
KENNETH M. ROBERTS, ESQ.
Nevada Bar No. 004729
DEMPSEY, ROBERTS & SMITH, LTD
1130 Wigwam Parkway
Henderson, Nevada 89074
(702) 388-1216 (Telephone)
(702) 388-2514 (Facsimile)
KenRoberts@drsLtd.com (Email)
Attorneys for Defendants

DISTRICT COURT
CLARK COUNTY, NEVADA

THOMAS WALKER,

Plaintiff,

vs.

FLOYD WAYNE GRIMES, an individual,
VICTORIA JEAN HALSEY, an individual,
JALEE ARNONE, an individual,

Defendant.

CASE NO.: A-18-783375-C
DEPT. NO.: 31

FLOYD WAYNE GRIMES, an individual, JALEE
ARNONE, an individual,

Counterclaimants,

vs.

THOMAS WALKER, an individual,
Counterdefendants.

JUDGMENT ON JURY VERDICT

This action came on for trial before the Court and a jury, with Honorable Joanna S. Kishner,
District Court Judge, presiding and the issues have been duly tried and the jury having rendered its
verdict,

Non-Jury (Disposed after trial start)	Jury (Disposed after trial start)
Non-Jury (Judgment reached)	Jury – Verdict reached
Transferred before trial	Other -

1 IT IS ORDERED AND ADJUDGED that Plaintiff THOMAS WALKER take nothing on all
2 claims alleged in his complaint.

3 IT IS FURTHER ORDERED AND ADJUDGED THAT Counterclaimant JALEE ARNONE,
4 is the current title holder to 6253 Rocky Mountain Avenue, Las Vegas, Nevada 89156. As title holder,
5 JALEE ARNONE is granted an injunction removing Counterdefendant THOMAS WALKER from the
6 property.

 6/22/21

7
8
9 Submitted by:

10 DEMPSEY, ROBERTS & SMITH, LTD.

11 By: /s/Kenneth Roberts
12 KENNETH M. ROBERTS, ESQ.
13 Attorney for Defendants/counterclaimants

14 Approved as to Form and Content:

15
16 Thomas Walker

Date

DISTRICT COURT
CLARK COUNTY, NEVADA

JUN 03 2021

BY Kathryn L. McDowell
KATHRYN L. MCDOWELL, DEPUTY

THOMAS WALKER, an individual,

Plaintiff,

vs.

FLOYD W. GRIMES, an individual,
VICTORIA JEAN HALSEY, an individual,
JALEE ARNONE, an individual,

Defendants.

FLOYD W. GRIMES, an individual, JALEE
ARNONE, an individual,

Counterclaimants,

vs.

THOMAS WALKER, an individual,

Counter-Defendant.

CASE NO. A-18-783375-C

Dept. No. 31

A-18-783375-C
SJV
Special Jury Verdict
4956456



SPECIAL VERDICT FORM

1. Has Plaintiff Thomas Walker established that he entered into an enforceable contract with Defendant Floyd Grimes on January 15, 2005, to purchase the property located at 6253 Rocky Mountain Avenue, Las Vegas, Nevada, 89156?

ANSWER: YES _____ NO X

If you answered "NO," to Question No. 1 above, you do not need to provide answers to questions 2 through 4 below. (Otherwise proceed to Question No. 2.)

2. If you answered "YES" to Question No. 1, do you find from a preponderance of the evidence that Plaintiff Thomas Walker is entitled to a declaration from this Court that he is to be named the owner of 6253 Rocky Mountain Avenue, Las Vegas, Nevada 89156?

ANSWER: YES _____ NO _____

n/a

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3. If you answered "YES" to Question No. 1, do you find from a preponderance of the evidence that Defendant Floyd Grimes breached a contract with Plaintiff Thomas Walker for the sale/purchase of 6253 Rocky Mountain Avenue, Las Vegas, Nevada, 89156?

ANSWER: YES _____ n/a NO _____

4. If you answered "YES" to Question No. 3, do you find from a preponderance of the evidence that Plaintiff Thomas Walker suffered damages?

ANSWER: YES _____ n/a NO _____

If so, what amount of money do you find should be awarded to Plaintiff Thomas Walker and against Defendant Floyd Grimes?

\$ _____ n/a
(Answer in Dollars and Cents)

5. Has Plaintiff Thomas Walker established that he entered into an enforceable contract with Defendant Victoria Halsey on January 15, 2005 to purchase the property located at 6253 Rocky Mountain Avenue, Las Vegas, Nevada, 89156?

ANSWER: YES _____ NO X

If you answered "NO," to Question No. 5 above, you do not need to provide answers to questions 6 and 7 below. (Otherwise proceed to Question No. 6.)

6. If you answered "YES" to Question No. 5, do you find from a preponderance of the evidence that Defendant Victoria Halsey breached a contract with Plaintiff Thomas Walker for the sale/purchase of 6253 Rocky Mountain Avenue, Las Vegas, Nevada, 89156?

ANSWER: YES _____ n/a NO _____

7. If you answered "YES" to Question No. 6, do you find from a preponderance of the evidence that Plaintiff Thomas Walker suffered damages?

ANSWER: YES _____ n/a NO _____

If so, what amount of money do you find should be awarded to Plaintiff Thomas Walker and against Defendant Victoria Halsey?

\$ _____ (Answer in Dollars and Cents)

VERDICT FOR COUNTERCLAIMS.

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ANSWER: YES _____ NO X

If so, what amount of money do you find should be awarded to Counterclaimant Floyd Grimes against Counter-Defendant Thomas Walker for unjust enrichment?

\$ 7/9 (Answer in Dollars and Cents)

9. Has Counterclaimant Jalee Arnone established a claim of unjust enrichment against Counter-Defendant Thomas Walker as to Thomas Walker's having continuously resided at 6253 Rocky Mountain Avenue, Las Vegas, Nevada 89156 without paying rent during the time Ms. Arnone owned the property, from August 10, 2018, to the present?

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\$ 7/9 (Answer in Dollars and Cents)

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ANSWER: YES X NO _____

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ANSWER: YES _____ NO X

If so, what amount of money do you find should be awarded to Counterclaimant Floyd Grimes against Counter-Defendant Thomas Walker for unlawful detainer?

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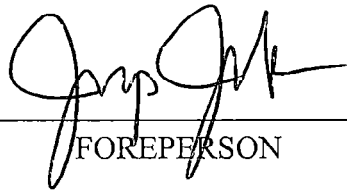
12. Has Counterclaimant Jalee Arnone established a claim for unlawful detainer against Counter-Defendant Thomas Walker as to Walker's refusal to vacate 6253 Rocky Mountain Avenue, Las Vegas, Nevada 89156 after being served with notice to do so?

ANSWER: YES _____ NO X

If so, what amount of money do you find should be awarded to Counterclaimant Jalee Arnone against Counter-Defendant Thomas Walker for unlawful detainer?

\$ n/a (Answer in Dollars and Cents)

Dated this 3 day of June 2021.



FOREPERSON

From: [Elsa McMurtry](#)
To: [DC31Inbox](#)
Subject: A-18-783375-C - ORDR - WALKER v. Grimes
Date: Tuesday, June 22, 2021 8:35:41 AM
Attachments: [Judgment on Jury Verdict.pdf](#)

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Good morning,

Attached please find the Judgment on the Verdict from the trial.

The judgment is being submitted without Plaintiff's signature. The judgment was served on Mr. Walker on 6/14/2021 2:01 PM via Odyssey. Mr. Walker opened the document on 6/17/2021 12:23 PM. We have not received the signed copy of the judgment from Mr. Walker, nor have we received correspondence stating he does not agree with the judgment as proposed.

Service Documents

File Name	Security	Download
Letter w judgment.pdf		Original File Court Copy

eService Details

Status	Name	Firm	Served	Date Opened
Sent	Thomas Walker		Yes	6/17/2021 12:23 PM PST

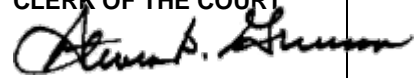
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-
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Attorneys for Defendants
Floyd Grimes, Jalee Arnone,
Elizabeth Grimes, Victoria Jean Halsey,
WBG Trust

DISTRICT COURT

CLARK COUNTY, NEVADA

THOMAS WALKER, an individual,
Plaintiff,
v.

CASE NO. A-18-783375-C
Dept. No. ~~XX~~ 31

FLOYD W. GRIMES, WBG TRUST,
ELIZABETH GRIMES, VICTORIA JEAN
HALSEY, JALEE ARNONE, PETER
ARNONE, DOES 1 through 20, and ROE
BUSINESS ENTITIES 20 through 50,
inclusive,
Defendants.

**ORDER GRANTING IN PART, AND
DENYING IN PART, DEFENDANTS'
MOTION FOR JUDGMENT ON THE
PLEADINGS**

And related matters.

Defendants' *Motion for Judgment on the Pleadings* having come on for hearing before the Court on the 9th day of March 2021, Plaintiff Walker appearing pro se and Kenneth M. Roberts, Esq., and David E. Krawczyk, Esq., of the law firm of Dempsey, Roberts & Smith, Ltd., appearing for and on behalf of Defendants Floyd Grimes, Elizabeth Grimes, Victoria Jean Halsey, Jalee Arnone and the WBG Trust, the Court having reviewed all of the papers and pleadings filed in this matter, the Court being fully advised in the premises, and with good cause appearing therefore, finds and orders as follows:

...

FINDINGS

THE COURT FINDS that Plaintiff Walker's Opposition to Defendants' Motion for Judgment on the Pleadings and Plaintiff's Request for Continuance were filed and served on the day of the hearing on this matter, and therefore untimely under Eighth Judicial District Court Rule 2.20.

THE COURT FURTHER FINDS that Plaintiff Walker has been previously admonished by the Court about the importance of timely filing court documents on numerous occasions in the past, as acknowledged by the Plaintiff himself at the hearing of this matter.

THE COURT FURTHER FINDS, concerning each of Plaintiff Walker's causes of action that is dismissed by this Order, that each is dismissed for procedural noncompliance with Eighth Judicial District Court Rule 2.20, additionally to the substantive bases for dismissal as stated herein.

INJUNCTIVE RELIEF; PLAINTIFF'S FIRST CAUSE OF ACTION.

THE COURT FURTHER FINDS that Nevada Revised Statutes 205.365 is a statute assessing penalties for criminal conduct without providing a civil cause of action.

THE COURT FURTHER FINDS that because Plaintiff's cause of action for injunctive relief is allegedly predicated upon Nevada Revised Statutes 205.365, and this is a civil and not a criminal matter, this cause of action is subject to dismissal on the pleadings.

DECLARATORY RELIEF; PLAINTIFF'S SECOND CAUSE OF ACTION.

THE COURT FURTHER FINDS that Plaintiff's complaint alleges a "purchase" of the real property located at 6253 Rocky Mountain Ave., Las Vegas, Nevada (the "Property").

THE COURT FURTHER FINDS that Defendants' motion to dismiss Plaintiff's second cause of action for declaratory relief on the pleadings should properly be denied without prejudice because this cause of action relates to the alleged purchase of the Property.

...

1 **DECLARATORY RELIEF; PLAINTIFF’S THIRD AND FOURTH CAUSES OF ACTION.**

2 THE COURT FURTHER FINDS that subject to only a few, limited exceptions a claim under the
3 Nevada Constitution, Article 1, must allege action by a State actor.¹

4 THE COURT FURTHER FINDS that Plaintiff has not pleaded any allegations against a State actor
5 and has not pleaded any exception to the “state action requirement” to bring a viable claim under the
6 Nevada Constitution.

7 THE COURT FURTHER FINDS that Plaintiff’s third cause of action, seeking declaratory relief
8 under the Nevada Constitution, Article 1 §1, is subject to dismissal on the pleadings for failing to
9 satisfy the state action requirement.

10 THE COURT FURTHER FINDS that Plaintiff’s fourth cause of action, seeking declaratory relief
11 under the Nevada Constitution, Article 1 §8(2), is subject to dismissal on the pleadings for failing to
12 satisfy the state action requirement.

13 **DECLARATORY RELIEF; PLAINTIFF’S FIFTH CAUSE OF ACTION.**

14 THE COURT FURTHER FINDS that Plaintiff’s fifth cause of action, for declaratory relief, is
15 allegedly predicated upon Nevada Revised Statutes 205.365 which assesses penalties for criminal
16 conduct without providing a civil cause of action.

17 THE COURT FURTHER FINDS that because Plaintiff’s fifth cause of action for declaratory relief is
18 predicated upon Nevada Revised Statutes 205.365, and this is a civil and not a criminal matter, this
19 cause of action is subject to dismissal on the pleadings.

20 **BREACH OF CONTRACT; PLAINTIFF’S SIXTH CAUSE OF ACTION.**

21 THE COURT FURTHER FINDS that Plaintiff’s complaint alleges a purchase of the Property and,
22 because Plaintiff’s sixth cause of action for breach of contract relates to the alleged purchase, that
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25

¹ *S.O.C. Inc. v. Mirage Casino-Hotel*, 117 Nev. 403, 410, 23 P.3d 243, 247-48.

1 Defendants' motion to dismiss this cause of action on the pleadings should properly be denied without
2 prejudice.

3 **TORTIOUS BREACH OF CONTRACT; PLAINTIFF'S SEVENTH CAUSE OF ACTION.**

4 THE COURT FURTHER FINDS that a viable claim for "tortious" breach of contract must
5 necessarily allege an underlying tort.²

6 THE COURT FURTHER FINDS that Plaintiff has not alleged any underlying tort upon which to
7 predicate his claim for "tortious" breach of contract and, therefore, this cause of action is subject to
8 dismissal on the pleadings.

9 **SLANDER OF TITLE; PLAINTIFF'S EIGHTH CAUSE OF ACTION.**

10 THE COURT FURTHER FINDS that Plaintiff's complaint alleges a purchase and a dispute over
11 title to the Property and, therefore, that Defendants' motion to dismiss Plaintiff's eighth cause of
12 action for "slander of title" on the pleadings should properly be denied without prejudice.

13 **SLANDER OF TITLE; PLAINTIFF'S NINTH CAUSE OF ACTION.**

14 THE COURT FURTHER FINDS that Plaintiff's ninth cause of action for slander of title is
15 duplicitous of his eighth cause of action, also for slander of title, and, therefore, this claim is subject to
16 dismissal on the pleadings.

17 **NUISANCE; PLAINTIFF'S TENTH CAUSE OF ACTION.**

18 THE COURT FURTHER FINDS that a nuisance is "anything which is injurious to health, or
19 indecent and offensive to the senses, or an obstruction to the free use of property, so as to interfere
20 with the comfortable enjoyment of life or property."³

21 THE COURT FURTHER FINDS that a nuisance claim must plead (1) unreasonable, unwarrantable,
22 or unlawful use by a person of his own property, or improper, indecent, or unlawful conduct, which
23
24

25 ² See, *Shoen v. Americo, Inc.*, 111 Nev. 735, 744, 896 P.2d 469, 476 (1995).

³ Nev. Rev. Stat. 40.140(1)(a).

(2) operates as an obstruction or injury to the right of another or to the public, and (3) produces such material annoyance, inconvenience, discomfort or hurt that the law will presume a consequent damage.⁴

THE COURT FURTHER FINDS that Plaintiff has not identified or alleged any cognizable nuisance in a pleading.

THE COURT FURTHER FINDS that Plaintiff, by failing to plead a cognizable nuisance, has not met the requisite elements for a viable nuisance claim and, therefore, this cause of action is subject to dismissal on the pleadings.

ABUSE OF PROCESS; PLAINTIFF'S ELEVENTH CAUSE OF ACTION.

THE COURT FURTHER FINDS that an abuse of process claim must plead both an ulterior purpose and a willful act in the use of process not proper in the regular conduct of a proceeding.⁵

THE COURT FURTHER FINDS that Plaintiff has not alleged facts establishing the requisite elements for an abuse of process claim in any pleading and, therefore, this claim is subject to dismissal on the pleadings.

FRAUDULENT INDUCEMENT; PLAINTIFF'S TWELFTH CAUSE OF ACTION.

THE COURT FURTHER FINDS that a claim for fraudulent inducement of a contract must show: a false representation made by the defendant; defendant's knowledge that the representation was false; defendant's intention to induce the plaintiff to consent to formation of a contract; plaintiff's justifiable reliance upon the misrepresentation; and resulting damages to the plaintiff.⁶

THE COURT FURTHER FINDS that Plaintiff has not alleged facts establishing the requisite elements for a fraudulent inducement to contract claim and has failed to show anything he was induced to enter into; consequently, this claim is subject to dismissal on the pleadings.

⁴ *Jezowski v. Reno*, 71 Nev. 233, 241, 286 P.2d 257, 260 (1955).

⁵ *Executive Mgmt., Ltd. v. Ticor Title Ins. Co.*, 114 Nev. 823, 843, 963 P.2d 465, 478 (1998).

⁶ *J.A. Jones Constr. Co. v. Lehrer McGovern Bovis, Inc.*, 120 Nev. 277, 290, 89 P.3d 1009, 1018 (2004).

FRAUDULENT CONCEALMENT; PLAINTIFF’S THIRTEENTH CAUSE OF ACTION.

THE COURT FURTHER FINDS that a claim for fraudulent concealment must show: 1. the defendant concealed or suppressed a material fact; 2. the defendant was under a duty to disclose the concealed fact; 3. the defendant intentionally concealed or suppressed the fact with the intent to defraud, with the intent to induce the plaintiff to act differently than he or she would have if the fact had been known; 4. the plaintiff was unaware of the fact and would have acted differently if he or she had known the concealed fact; and 5. the plaintiff sustained damages as a result.⁷

THE COURT FURTHER FINDS that Plaintiff has failed to show in his pleadings any fact that was concealed, suppressed, or unknown to the Plaintiff at the time he alleges to have “purchased” the Property.

THE COURT FURTHER FINDS that Plaintiff has failed to allege how he would have acted differently because of any concealed, suppressed, or unknown fact.

THE COURT FURTHER FINDS that Plaintiff, additionally, has failed to plead fraud with particularity as required by Nevada Rule of Civil Procedure 9.

THE COURT FURTHER FINDS that Plaintiff, therefore, has not alleged facts establishing the requisite elements for a fraudulent concealment claim and, consequently, this claim is subject to dismissal on the pleadings.

FRAUDULENT TRANSFER; PLAINTIFF’S FOURTEENTH CAUSE OF ACTION.

THE COURT FURTHER FINDS that Plaintiff has failed to plead facts to support a viable claim for fraudulent transfer under Nevada Revised Statutes 112.180, the Nevada Uniform Fraudulent Transfers Act.

THE COURT FURTHER FINDS that Plaintiff has failed to plead fraud with particularity as required under Nevada Rule of Civil Procedure 9.

⁷ *Dow Chem. Co. v. Mahlum*, 114 Nev. 1468, 1485, 970 P.2d 98, 109 (1998).

1 THE COURT FURTHER FINDS that Plaintiff has not pleaded a viable claim for fraudulent transfer,
2 by having failed to plead fraud with particularity and having not met the requirements for pleading a
3 claim under the Nevada Uniform Fraudulent Transfers Act, and this claim is subject to dismissal on
4 the pleadings.

5 **CONVERSION; PLAINTIFF’S FIFTEENTH CAUSE OF ACTION.**

6 THE COURT FURTHER FINDS that a claim for conversion must show a distinct act of dominion
7 wrongfully exerted over another’s tangible or intangible personal property.⁸

8 THE COURT FURTHER FINDS that alleged interference with real property cannot support a claim
9 for conversion.

10 THE COURT FURTHER FINDS that Plaintiff Walker testified to the Court at a hearing on this
11 matter that his conversion claim was predicated upon alleged interference with real property,
12 specifically the Property.

13 THE COURT FURTHER FINDS that Plaintiff Walker testified to the Court that his claim for
14 conversion was not predicated upon any alleged interference with the mobile home trailer situated
15 upon the Property, which Plaintiff testified to have possessed and controlled at all relevant times.

16 THE COURT FURTHER FINDS that allegations of interference with real property cannot predicate
17 a claim for conversion and, therefore, Plaintiff’s fifteenth cause of action for conversion is subject to
18 dismissal on the pleadings.

19 **UNJUST ENRICHMENT-QUANTUM MERUIT; PLAINTIFF’S SIXTEENTH CAUSE OF ACTION.**

20 THE COURT FURTHER FINDS that Plaintiff’s complaint alleges a purchase of the Property and,
21 because Plaintiff’s sixteenth cause of action for unjust enrichment relates to the alleged purchase, that
22 Defendants’ motion to dismiss this cause of action on the pleadings should properly be denied without
23 prejudice.
24

25 ⁸ *M.C. Multi-Family Dev., LLC v. Crestdale Assocs., Ltd.*, 124 Nev. 901, 910-11, 193 P.3d 536, 542-43 (2008).

1 **CONVERSION; PLAINTIFF’S SEVENTEENTH CAUSE OF ACTION.**

2 THE COURT FURTHER FINDS that Plaintiff’s fifteenth and seventeenth causes of action, both
3 claims for conversion, are duplicitous.

4 THE COURT FURTHER FINDS that allegations of interference with real property, as claimed by
5 Plaintiff, cannot predicate a claim for conversion and, therefore, Plaintiff’s seventeenth cause of action
6 for conversion is subject to dismissal on the pleadings.

7 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS; PLAINTIFF’S EIGHTEENTH CAUSE OF ACTION.**

8 THE COURT FURTHER FINDS that a claim for an intentional infliction of emotional distress must
9 show: extreme and outrageous conduct on the part of the defendant; intent to cause emotional distress
10 or reckless disregard for causing emotional distress; that the plaintiff suffered extreme or severe
11 emotional distress; and causation.⁹

12 THE COURT FURTHER FINDS that the standard is very high for conduct to be considered extreme
13 or outrageous to support an intentional infliction of emotional distress claim.

14 THE COURT FURTHER FINDS that Plaintiff has not alleged facts establishing outrageous conduct
15 and severe emotional distress; having failed to allege the requisite elements for an intentional
16 infliction of emotional distress claim, this claim is subject to dismissal on the pleadings.

17 **CIVIL CONSPIRACY; PLAINTIFF’S NINETEENTH CAUSE OF ACTION.**

18 THE COURT FURTHER FINDS that a claim for civil conspiracy must be predicated upon an
19 underlying tort cause of action.¹⁰

20 THE COURT FURTHER FINDS that Plaintiff has not pleaded an underlying tort to predicate his
21 civil conspiracy claim and, consequently, this claim is subject to dismissal on the pleadings.

22 ...
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25 ⁹ *Miller v. Jones*, 114 Nev. 1291, 1300, 970 P.2d 571, 577 (1998).

¹⁰ *Jordan v. State ex rel. DMV & Pub. Safety*, 121 Nev. 44, 110 P.3d 30 (2005).

1 **UNJUST ENRICHMENT; PLAINTIFF’S TWENTIETH CAUSE OF ACTION.**

2 THE COURT FURTHER FINDS that Plaintiff’s twentieth cause of action, for unjust enrichment,
3 contains allegations and asserts a claim that is duplicitous of his sixteenth cause of action for unjust
4 enrichment-quantum meruit, and as such, is subject to dismissal on the pleadings.

5 **FRAUDULENT CONVEYANCE; PLAINTIFF’S TWENTY-FIRST CAUSE OF ACTION.**

6 THE COURT FURTHER FINDS that Plaintiff’s twenty-first cause of action, for fraudulent
7 conveyance, is allegedly predicated upon Nevada Revised Statutes 205.365 which assesses penalties
8 for criminal conduct without providing a civil cause of action.

9 THE COURT FURTHER FINDS that Plaintiff has failed to plead fraud with particularity as required
10 under Nevada Rule of Civil Procedure 9.

11 THE COURT FURTHER FINDS that because this is a civil matter, Nevada Revised Statutes
12 205.365 is a statute that does not provide civil remedies, and because Plaintiff has not pleaded fraud
13 with particularity, this cause of action is subject to dismissal on the pleadings.

14 **DECEPTIVE TRADE PRACTICE; PLAINTIFF’S TWENTY-SECOND CAUSE OF ACTION.**

15 THE COURT FURTHER FINDS that a “deceptive trade practice” is defined under Nevada Revised
16 Statutes 598.0923.

17 THE COURT FURTHER FINDS that Plaintiff has failed to allege any conditions that were not
18 disclosed at the time of his alleged purchase of the Property, has failed to meet the pleading
19 requirements for a deceptive trade practice claim, and this claim is therefore subject to dismissal on
20 the pleadings.

21 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS; PLAINTIFF’S TWENTY-THIRD CAUSE OF**
22 **ACTION.**

23 THE COURT FURTHER FINDS that Plaintiff’s eighteenth and twenty-third causes of action, both
24 for intentional infliction of emotional distress, are duplicitous.
25

1 THE COURT FURTHER FINDS that Plaintiff has not alleged facts establishing the requisite
2 elements for an intentional infliction of emotional distress claim, having failed to allege outrageous
3 conduct and severe emotional distress to support an intentional infliction of emotional distress claim
4 and, consequently, this claim is subject to dismissal on the pleadings.

5 **ORDER**

6 IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that Defendant's Motion for
7 Judgment on the Pleadings is GRANTED concerning:

- 8 1. Plaintiff's first cause of action for Injunctive Relief,
- 9 2. Plaintiff's third cause of action for Declaratory Relief,
- 10 3. Plaintiff's fourth cause of action for Declaratory Relief,
- 11 4. Plaintiff's fifth cause of action for Declaratory Relief,
- 12 5. Plaintiff's seventh cause of action for Tortious Breach of Contract,
- 13 6. Plaintiff's ninth cause of action for Slander of Title,
- 14 7. Plaintiff's tenth cause of action for Nuisance,
- 15 8. Plaintiff's eleventh cause of action for Abuse of Process,
- 16 9. Plaintiff's twelfth cause of action for Fraudulent Inducement,
- 17 10. Plaintiff's thirteenth cause of action for Fraudulent Concealment,
- 18 11. Plaintiff's fourteenth cause of action for Fraudulent Transfer,
- 19 12. Plaintiff's fifteenth cause of action for Conversion,
- 20 13. Plaintiff's seventeenth cause of action for Conversion,
- 21 14. Plaintiff's eighteenth cause of action for Intentional Infliction of Emotional Distress,
- 22 15. Plaintiff's nineteenth cause of action for Civil Conspiracy,
- 23 16. Plaintiff's twentieth cause of action for Unjust Enrichment,
- 24
- 25

1 17. Plaintiff's twenty-first cause of action for Fraudulent Conveyance,

2 18. Plaintiff's twenty-second cause of action for Deceptive Trade Practice,

3 19. Plaintiff's twenty-third cause of action for Intentional Infliction of Emotional Distress,

4 IT IS FURTHER ORDERED that Defendants' Motion for Judgment on the Pleadings is

5 DENIED WITHOUT PREJUDICE concerning:

6 1. Plaintiff's second cause of action for Declaratory Relief,

7 2. Plaintiff's sixth cause of action for Breach of Contract,

8 3. Plaintiff's eighth cause of action for Slander of Title,

9 4. Plaintiff's sixteenth cause of action for Unjust Enrichment/Quantum Meruit.

10 IT IS SO ORDERED.

11
12  3/29/21

13
14
15
16 Respectfully submitted by:

Approved as to form and content:

17 /s/Kenneth Roberts

18 KENNETH M. ROBERTS, ESQ.
19 Nevada Bar No. 04729
20 DEMPSEY, ROBERTS & SMITH, LTD.
21 1130 Wigwam Parkway
22 Henderson, Nevada 89074
23 Attorneys for Defendants
24
25

THOMAS WALKER
Plaintiff, pro se

From: [Elsa McMurtry](#)
To: [DC31Inbox](#)
Subject: A-18-783375-C - ORDR - WALKER v. Grimes
Date: Thursday, March 25, 2021 9:38:13 AM
Attachments: [GRIMES.ORDR RE MOT for J on Pleadings.3.15.21.pdf](#)

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Good morning,

Attached please find the Order from the March 9, 2021, hearing.

The order is being submitted without Plaintiff's signature. The order was served on Mr. Walker on 3/15/2021 3:43 PM via Odyssey. Mr. Walker opened the document on 3/15/21 at 4:29 PM. We have not received the signed copy of the order from Mr. Walker, nor have we received a correspondence stating he does not agree with the order as proposed.

Filings

Filing Type Serve	Filing Code Service Only
Filing Description Order Granting In Part, And Denying In Part, Defendants' Motion For Judgment On The Pleadings	
Filing Status Served	

Service Documents

File Name	Security	Download
GRIMES.ORDR RE MOT for J on Pleadings.3.15.21.pdf		Original File Court Copy

eService Details

Status	Name	Firm	Served	Date Opened
Sent	Thomas Walker		Yes	3/15/2021 4:29 PM PST

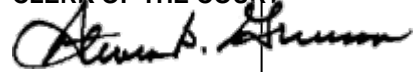
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11 E-Mail: kenroberts@drsLtd.com
12 Attorney for Defendants

13 **DISTRICT COURT**

14 **CLARK COUNTY, NEVADA**

15 THOMAS WALKER,
16
17 Plaintiff,

18 vs.

19 FLOYD WAYNE GRIMES, an individual, WBG
20 TRUST, Floyd Grimes, and Elizabeth Grimes as
21 Trustees, ELIZABETH GRIMES, an individual,
22 VICTORIA JEAN HALSEY, an individual and as
23 the Agent of Floyd Wayne Grimes, JALEE
24 ARNONE, an individual, and PETER ARNONE,
25 an individual, DOES 1 through 20, and ROE
BUSINESS ENTITIES 20 through 50, inclusive,

Defendants.

FLOYD WAYNE GRIMES, an individual,
Counterclaimant,

vs.

THOMAS WALKER, an individual, DOES 1
through 10, ROE ENTITIES 11 through 20,
inclusive,

Counterdefendants.

CASE NO.: A-18-783375-C

DEPT. NO.: XXXI

**NOTICE OF ENTRY
OF ORDER**

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NOTICE OF ENTRY OF ORDER

PLEASE TAKE NOTICE that an Order was duly entered in the above-referenced case on the 29th day of March 2021. A copy of which is attached hereto.

DATED: Henderson, Nevada this 29th day of March 2021.

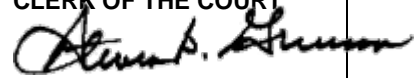
/s/ Kenneth Roberts
KENNETH M. ROBERTS, ESQ.
Nevada Bar No.: 4729
1130 Wigwam Parkway
Henderson, Nevada 89074

CERTIFICATE OF SERVICE

I certify that on the 29th day of March 2021, pursuant to EDCR 8.05(a) and 8.05(f), a copy of the foregoing was electronically served through the Eighth Judicial District Court's electronic filing system to the following parties:

Thomas Walker: twalkercivil3@gmail.com

/s/ Elsa McMurtry
Elsa McMurtry, an employee of
Dempsey, Roberts & Smith, Ltd.



ORDR

KENNETH M. ROBERTS, ESQ.
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Kenroberts@drsLtd.com
Attorneys for Defendants
Floyd Grimes, Jalee Arnone,
Elizabeth Grimes, Victoria Jean Halsey,
WBG Trust

DISTRICT COURT

CLARK COUNTY, NEVADA

THOMAS WALKER, an individual,
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v.

CASE NO. A-18-783375-C
Dept. No. ~~XX~~ 31

FLOYD W. GRIMES, WBG TRUST,
ELIZABETH GRIMES, VICTORIA JEAN
HALSEY, JALEE ARNONE, PETER
ARNONE, DOES 1 through 20, and ROE
BUSINESS ENTITIES 20 through 50,
inclusive,
Defendants.

**ORDER GRANTING IN PART, AND
DENYING IN PART, DEFENDANTS'
MOTION FOR JUDGMENT ON THE
PLEADINGS**

And related matters.

Defendants' *Motion for Judgment on the Pleadings* having come on for hearing before the Court on the 9th day of March 2021, Plaintiff Walker appearing pro se and Kenneth M. Roberts, Esq., and David E. Krawczyk, Esq., of the law firm of Dempsey, Roberts & Smith, Ltd., appearing for and on behalf of Defendants Floyd Grimes, Elizabeth Grimes, Victoria Jean Halsey, Jalee Arnone and the WBG Trust, the Court having reviewed all of the papers and pleadings filed in this matter, the Court being fully advised in the premises, and with good cause appearing therefore, finds and orders as follows:

...

FINDINGS

THE COURT FINDS that Plaintiff Walker's Opposition to Defendants' Motion for Judgment on the Pleadings and Plaintiff's Request for Continuance were filed and served on the day of the hearing on this matter, and therefore untimely under Eighth Judicial District Court Rule 2.20.

THE COURT FURTHER FINDS that Plaintiff Walker has been previously admonished by the Court about the importance of timely filing court documents on numerous occasions in the past, as acknowledged by the Plaintiff himself at the hearing of this matter.

THE COURT FURTHER FINDS, concerning each of Plaintiff Walker's causes of action that is dismissed by this Order, that each is dismissed for procedural noncompliance with Eighth Judicial District Court Rule 2.20, additionally to the substantive bases for dismissal as stated herein.

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THE COURT FURTHER FINDS that because Plaintiff's cause of action for injunctive relief is allegedly predicated upon Nevada Revised Statutes 205.365, and this is a civil and not a criminal matter, this cause of action is subject to dismissal on the pleadings.

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THE COURT FURTHER FINDS that Plaintiff's complaint alleges a "purchase" of the real property located at 6253 Rocky Mountain Ave., Las Vegas, Nevada (the "Property").

THE COURT FURTHER FINDS that Defendants' motion to dismiss Plaintiff's second cause of action for declaratory relief on the pleadings should properly be denied without prejudice because this cause of action relates to the alleged purchase of the Property.

...

1 **DECLARATORY RELIEF; PLAINTIFF’S THIRD AND FOURTH CAUSES OF ACTION.**

2 THE COURT FURTHER FINDS that subject to only a few, limited exceptions a claim under the
3 Nevada Constitution, Article 1, must allege action by a State actor.¹

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5 and has not pleaded any exception to the “state action requirement” to bring a viable claim under the
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18 predicated upon Nevada Revised Statutes 205.365, and this is a civil and not a criminal matter, this
19 cause of action is subject to dismissal on the pleadings.

20 **BREACH OF CONTRACT; PLAINTIFF’S SIXTH CAUSE OF ACTION.**

21 THE COURT FURTHER FINDS that Plaintiff’s complaint alleges a purchase of the Property and,
22 because Plaintiff’s sixth cause of action for breach of contract relates to the alleged purchase, that
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¹ *S.O.C. Inc. v. Mirage Casino-Hotel*, 117 Nev. 403, 410, 23 P.3d 243, 247-48.

1 Defendants' motion to dismiss this cause of action on the pleadings should properly be denied without
2 prejudice.

3 **TORTIOUS BREACH OF CONTRACT; PLAINTIFF'S SEVENTH CAUSE OF ACTION.**

4 THE COURT FURTHER FINDS that a viable claim for "tortious" breach of contract must
5 necessarily allege an underlying tort.²

6 THE COURT FURTHER FINDS that Plaintiff has not alleged any underlying tort upon which to
7 predicate his claim for "tortious" breach of contract and, therefore, this cause of action is subject to
8 dismissal on the pleadings.

9 **SLANDER OF TITLE; PLAINTIFF'S EIGHTH CAUSE OF ACTION.**

10 THE COURT FURTHER FINDS that Plaintiff's complaint alleges a purchase and a dispute over
11 title to the Property and, therefore, that Defendants' motion to dismiss Plaintiff's eighth cause of
12 action for "slander of title" on the pleadings should properly be denied without prejudice.

13 **SLANDER OF TITLE; PLAINTIFF'S NINTH CAUSE OF ACTION.**

14 THE COURT FURTHER FINDS that Plaintiff's ninth cause of action for slander of title is
15 duplicitous of his eighth cause of action, also for slander of title, and, therefore, this claim is subject to
16 dismissal on the pleadings.

17 **NUISANCE; PLAINTIFF'S TENTH CAUSE OF ACTION.**

18 THE COURT FURTHER FINDS that a nuisance is "anything which is injurious to health, or
19 indecent and offensive to the senses, or an obstruction to the free use of property, so as to interfere
20 with the comfortable enjoyment of life or property."³

21 THE COURT FURTHER FINDS that a nuisance claim must plead (1) unreasonable, unwarrantable,
22 or unlawful use by a person of his own property, or improper, indecent, or unlawful conduct, which
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25 ² See, *Shoen v. Americo, Inc.*, 111 Nev. 735, 744, 896 P.2d 469, 476 (1995).

³ Nev. Rev. Stat. 40.140(1)(a).

1 (2) operates as an obstruction or injury to the right of another or to the public, and (3) produces such
2 material annoyance, inconvenience, discomfort or hurt that the law will presume a consequent
3 damage.⁴

4 THE COURT FURTHER FINDS that Plaintiff has not identified or alleged any cognizable nuisance
5 in a pleading.

6 THE COURT FURTHER FINDS that Plaintiff, by failing to plead a cognizable nuisance, has not
7 met the requisite elements for a viable nuisance claim and, therefore, this cause of action is subject to
8 dismissal on the pleadings.

9 **ABUSE OF PROCESS; PLAINTIFF'S ELEVENTH CAUSE OF ACTION.**

10 THE COURT FURTHER FINDS that an abuse of process claim must plead both an ulterior purpose
11 and a willful act in the use of process not proper in the regular conduct of a proceeding.⁵

12 THE COURT FURTHER FINDS that Plaintiff has not alleged facts establishing the requisite
13 elements for an abuse of process claim in any pleading and, therefore, this claim is subject to
14 dismissal on the pleadings.

15 **FRAUDULENT INDUCEMENT; PLAINTIFF'S TWELFTH CAUSE OF ACTION.**

16 THE COURT FURTHER FINDS that a claim for fraudulent inducement of a contract must show: a
17 false representation made by the defendant; defendant's knowledge that the representation was false;
18 defendant's intention to induce the plaintiff to consent to formation of a contract; plaintiff's justifiable
19 reliance upon the misrepresentation; and resulting damages to the plaintiff.⁶

20 THE COURT FURTHER FINDS that Plaintiff has not alleged facts establishing the requisite
21 elements for a fraudulent inducement to contract claim and has failed to show anything he was
22 induced to enter into; consequently, this claim is subject to dismissal on the pleadings.

23
24 ⁴ *Jezowski v. Reno*, 71 Nev. 233, 241, 286 P.2d 257, 260 (1955).

25 ⁵ *Executive Mgmt., Ltd. v. Ticor Title Ins. Co.*, 114 Nev. 823, 843, 963 P.2d 465, 478 (1998).

⁶ *J.A. Jones Constr. Co. v. Lehrer McGovern Bovis, Inc.*, 120 Nev. 277, 290, 89 P.3d 1009, 1018 (2004).

FRAUDULENT CONCEALMENT; PLAINTIFF’S THIRTEENTH CAUSE OF ACTION.

THE COURT FURTHER FINDS that a claim for fraudulent concealment must show: 1. the defendant concealed or suppressed a material fact; 2. the defendant was under a duty to disclose the concealed fact; 3. the defendant intentionally concealed or suppressed the fact with the intent to defraud, with the intent to induce the plaintiff to act differently than he or she would have if the fact had been known; 4. the plaintiff was unaware of the fact and would have acted differently if he or she had known the concealed fact; and 5. the plaintiff sustained damages as a result.⁷

THE COURT FURTHER FINDS that Plaintiff has failed to show in his pleadings any fact that was concealed, suppressed, or unknown to the Plaintiff at the time he alleges to have “purchased” the Property.

THE COURT FURTHER FINDS that Plaintiff has failed to allege how he would have acted differently because of any concealed, suppressed, or unknown fact.

THE COURT FURTHER FINDS that Plaintiff, additionally, has failed to plead fraud with particularity as required by Nevada Rule of Civil Procedure 9.

THE COURT FURTHER FINDS that Plaintiff, therefore, has not alleged facts establishing the requisite elements for a fraudulent concealment claim and, consequently, this claim is subject to dismissal on the pleadings.

FRAUDULENT TRANSFER; PLAINTIFF’S FOURTEENTH CAUSE OF ACTION.

THE COURT FURTHER FINDS that Plaintiff has failed to plead facts to support a viable claim for fraudulent transfer under Nevada Revised Statutes 112.180, the Nevada Uniform Fraudulent Transfers Act.

THE COURT FURTHER FINDS that Plaintiff has failed to plead fraud with particularity as required under Nevada Rule of Civil Procedure 9.

⁷ *Dow Chem. Co. v. Mahlum*, 114 Nev. 1468, 1485, 970 P.2d 98, 109 (1998).

1 THE COURT FURTHER FINDS that Plaintiff has not pleaded a viable claim for fraudulent transfer,
2 by having failed to plead fraud with particularity and having not met the requirements for pleading a
3 claim under the Nevada Uniform Fraudulent Transfers Act, and this claim is subject to dismissal on
4 the pleadings.

5 **CONVERSION; PLAINTIFF’S FIFTEENTH CAUSE OF ACTION.**

6 THE COURT FURTHER FINDS that a claim for conversion must show a distinct act of dominion
7 wrongfully exerted over another’s tangible or intangible personal property.⁸

8 THE COURT FURTHER FINDS that alleged interference with real property cannot support a claim
9 for conversion.

10 THE COURT FURTHER FINDS that Plaintiff Walker testified to the Court at a hearing on this
11 matter that his conversion claim was predicated upon alleged interference with real property,
12 specifically the Property.

13 THE COURT FURTHER FINDS that Plaintiff Walker testified to the Court that his claim for
14 conversion was not predicated upon any alleged interference with the mobile home trailer situated
15 upon the Property, which Plaintiff testified to have possessed and controlled at all relevant times.

16 THE COURT FURTHER FINDS that allegations of interference with real property cannot predicate
17 a claim for conversion and, therefore, Plaintiff’s fifteenth cause of action for conversion is subject to
18 dismissal on the pleadings.

19 **UNJUST ENRICHMENT-QUANTUM MERUIT; PLAINTIFF’S SIXTEENTH CAUSE OF ACTION.**

20 THE COURT FURTHER FINDS that Plaintiff’s complaint alleges a purchase of the Property and,
21 because Plaintiff’s sixteenth cause of action for unjust enrichment relates to the alleged purchase, that
22 Defendants’ motion to dismiss this cause of action on the pleadings should properly be denied without
23 prejudice.
24

25 ⁸ *M.C. Multi-Family Dev., LLC v. Crestdale Assocs., Ltd.*, 124 Nev. 901, 910-11, 193 P.3d 536, 542-43 (2008).

1 **CONVERSION; PLAINTIFF’S SEVENTEENTH CAUSE OF ACTION.**

2 THE COURT FURTHER FINDS that Plaintiff’s fifteenth and seventeenth causes of action, both
3 claims for conversion, are duplicitous.

4 THE COURT FURTHER FINDS that allegations of interference with real property, as claimed by
5 Plaintiff, cannot predicate a claim for conversion and, therefore, Plaintiff’s seventeenth cause of action
6 for conversion is subject to dismissal on the pleadings.

7 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS; PLAINTIFF’S EIGHTEENTH CAUSE OF ACTION.**

8 THE COURT FURTHER FINDS that a claim for an intentional infliction of emotional distress must
9 show: extreme and outrageous conduct on the part of the defendant; intent to cause emotional distress
10 or reckless disregard for causing emotional distress; that the plaintiff suffered extreme or severe
11 emotional distress; and causation.⁹

12 THE COURT FURTHER FINDS that the standard is very high for conduct to be considered extreme
13 or outrageous to support an intentional infliction of emotional distress claim.

14 THE COURT FURTHER FINDS that Plaintiff has not alleged facts establishing outrageous conduct
15 and severe emotional distress; having failed to allege the requisite elements for an intentional
16 infliction of emotional distress claim, this claim is subject to dismissal on the pleadings.

17 **CIVIL CONSPIRACY; PLAINTIFF’S NINETEENTH CAUSE OF ACTION.**

18 THE COURT FURTHER FINDS that a claim for civil conspiracy must be predicated upon an
19 underlying tort cause of action.¹⁰

20 THE COURT FURTHER FINDS that Plaintiff has not pleaded an underlying tort to predicate his
21 civil conspiracy claim and, consequently, this claim is subject to dismissal on the pleadings.

22 ...
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25 ⁹ *Miller v. Jones*, 114 Nev. 1291, 1300, 970 P.2d 571, 577 (1998).

¹⁰ *Jordan v. State ex rel. DMV & Pub. Safety*, 121 Nev. 44, 110 P.3d 30 (2005).

1 **UNJUST ENRICHMENT; PLAINTIFF’S TWENTIETH CAUSE OF ACTION.**

2 THE COURT FURTHER FINDS that Plaintiff’s twentieth cause of action, for unjust enrichment,
3 contains allegations and asserts a claim that is duplicitous of his sixteenth cause of action for unjust
4 enrichment-quantum meruit, and as such, is subject to dismissal on the pleadings.

5 **FRAUDULENT CONVEYANCE; PLAINTIFF’S TWENTY-FIRST CAUSE OF ACTION.**

6 THE COURT FURTHER FINDS that Plaintiff’s twenty-first cause of action, for fraudulent
7 conveyance, is allegedly predicated upon Nevada Revised Statutes 205.365 which assesses penalties
8 for criminal conduct without providing a civil cause of action.

9 THE COURT FURTHER FINDS that Plaintiff has failed to plead fraud with particularity as required
10 under Nevada Rule of Civil Procedure 9.

11 THE COURT FURTHER FINDS that because this is a civil matter, Nevada Revised Statutes
12 205.365 is a statute that does not provide civil remedies, and because Plaintiff has not pleaded fraud
13 with particularity, this cause of action is subject to dismissal on the pleadings.

14 **DECEPTIVE TRADE PRACTICE; PLAINTIFF’S TWENTY-SECOND CAUSE OF ACTION.**

15 THE COURT FURTHER FINDS that a “deceptive trade practice” is defined under Nevada Revised
16 Statutes 598.0923.

17 THE COURT FURTHER FINDS that Plaintiff has failed to allege any conditions that were not
18 disclosed at the time of his alleged purchase of the Property, has failed to meet the pleading
19 requirements for a deceptive trade practice claim, and this claim is therefore subject to dismissal on
20 the pleadings.

21 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS; PLAINTIFF’S TWENTY-THIRD CAUSE OF**
22 **ACTION.**

23 THE COURT FURTHER FINDS that Plaintiff’s eighteenth and twenty-third causes of action, both
24 for intentional infliction of emotional distress, are duplicitous.
25

1 THE COURT FURTHER FINDS that Plaintiff has not alleged facts establishing the requisite
2 elements for an intentional infliction of emotional distress claim, having failed to allege outrageous
3 conduct and severe emotional distress to support an intentional infliction of emotional distress claim
4 and, consequently, this claim is subject to dismissal on the pleadings.

5 **ORDER**

6 IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that Defendant's Motion for
7 Judgment on the Pleadings is GRANTED concerning:

- 8 1. Plaintiff's first cause of action for Injunctive Relief,
- 9 2. Plaintiff's third cause of action for Declaratory Relief,
- 10 3. Plaintiff's fourth cause of action for Declaratory Relief,
- 11 4. Plaintiff's fifth cause of action for Declaratory Relief,
- 12 5. Plaintiff's seventh cause of action for Tortious Breach of Contract,
- 13 6. Plaintiff's ninth cause of action for Slander of Title,
- 14 7. Plaintiff's tenth cause of action for Nuisance,
- 15 8. Plaintiff's eleventh cause of action for Abuse of Process,
- 16 9. Plaintiff's twelfth cause of action for Fraudulent Inducement,
- 17 10. Plaintiff's thirteenth cause of action for Fraudulent Concealment,
- 18 11. Plaintiff's fourteenth cause of action for Fraudulent Transfer,
- 19 12. Plaintiff's fifteenth cause of action for Conversion,
- 20 13. Plaintiff's seventeenth cause of action for Conversion,
- 21 14. Plaintiff's eighteenth cause of action for Intentional Infliction of Emotional Distress,
- 22 15. Plaintiff's nineteenth cause of action for Civil Conspiracy,
- 23 16. Plaintiff's twentieth cause of action for Unjust Enrichment,
- 24
- 25

1 17. Plaintiff's twenty-first cause of action for Fraudulent Conveyance,

2 18. Plaintiff's twenty-second cause of action for Deceptive Trade Practice,

3 19. Plaintiff's twenty-third cause of action for Intentional Infliction of Emotional Distress,

4 IT IS FURTHER ORDERED that Defendants' Motion for Judgment on the Pleadings is

5 DENIED WITHOUT PREJUDICE concerning:

6 1. Plaintiff's second cause of action for Declaratory Relief,

7 2. Plaintiff's sixth cause of action for Breach of Contract,

8 3. Plaintiff's eighth cause of action for Slander of Title,

9 4. Plaintiff's sixteenth cause of action for Unjust Enrichment/Quantum Meruit.

10 IT IS SO ORDERED.

11
12  3/29/21

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15
16 Respectfully submitted by:

Approved as to form and content:

17 /s/Kenneth Roberts

18 KENNETH M. ROBERTS, ESQ.
19 Nevada Bar No. 04729
20 DEMPSEY, ROBERTS & SMITH, LTD.
21 1130 Wigwam Parkway
22 Henderson, Nevada 89074
23 Attorneys for Defendants
24
25

THOMAS WALKER
Plaintiff, pro se

From: [Elsa McMurtry](#)
To: [DC31Inbox](#)
Subject: A-18-783375-C - ORDR - WALKER v. Grimes
Date: Thursday, March 25, 2021 9:38:13 AM
Attachments: [GRIMES.ORDR RE MOT for J on Pleadings.3.15.21.pdf](#)

[NOTICE: This message originated outside of Eighth Judicial District Court -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Good morning,

Attached please find the Order from the March 9, 2021, hearing.

The order is being submitted without Plaintiff's signature. The order was served on Mr. Walker on 3/15/2021 3:43 PM via Odyssey. Mr. Walker opened the document on 3/15/21 at 4:29 PM. We have not received the signed copy of the order from Mr. Walker, nor have we received a correspondence stating he does not agree with the order as proposed.

Filings

Filing Type Serve	Filing Code Service Only
Filing Description Order Granting In Part, And Denying In Part, Defendants' Motion For Judgment On The Pleadings	
Filing Status Served	

Service Documents

File Name	Security	Download
GRIMES.ORDR RE MOT for J on Pleadings.3.15.21.pdf		Original File Court Copy

eService Details

Status	Name	Firm	Served	Date Opened
Sent	Thomas Walker		Yes	3/15/2021 4:29 PM PST

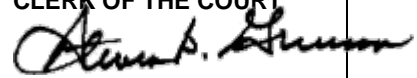
If you have any questions or concerns, please do not hesitate to contact this office.

ELSA McMURTRY - PARALEGAL
DEMPSEY, ROBERTS, & SMITH, LTD.
1130 WIGWAM PARKWAY
HENDERSON, NEVADA 89074
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DEMPSEY, ROBERTS & SMITH, LTD. is pleased to provide legal representation in the following areas: auto accidents and other personal injuries, criminal defense, defense of DUI, bankruptcy, traffic citations, probate, family law, contract law, corporations and LLCs, wills, trusts and government security clearance cases.

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ORDR

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Attorneys for Defendants
Floyd Grimes, Jalee Arnone,
Elizabeth Grimes, Victoria Jean Halsey,
WBG Trust

DISTRICT COURT

CLARK COUNTY, NEVADA

THOMAS WALKER, an individual,
Plaintiff,

v.

FLOYD W. GRIMES, WBG TRUST,
ELIZABETH GRIMES, VICTORIA JEAN
HALSEY, JALEE ARNONE, PETER
ARNONE, DOES 1 through 20, and
ROE BUSINESS ENTITIES 20 through
50, inclusive,
Defendants.

CASE NO. A-18-783375-C
Dept. No. 31

**ORDER GRANTING
DEFENDANTS' MOTION IN
LIMINE**

And related matters.

Defendants' *Motion in Limine to Exclude Document* having come on for hearing before the Court on the 25th day of February 2020, Plaintiff Walker appearing pro se and Kenneth M. Roberts, Esq., of the law firm of Dempsey, Roberts & Smith, Ltd., appearing for and on behalf of Defendants Floyd Grimes, Elizabeth Grimes, Victoria Jean Halsey, Jalee Arnone and the WBG Trust, the Court having reviewed all of the

1 papers and pleadings filed in this matter, the Court being fully advised in the
2 premises, and with good cause appearing therefore, finds and orders as follows:

3
4 **FINDINGS**

5 THE COURT FINDS that Defendants, through counsel, made repeated verbal
6 and written requests seeking inspection of the of the original document identified
7 by Plaintiff as Bates stamp "PT W-001" (the "Questioned Document");

8 THE COURT FURTHER FINDS that Defendants timely served a *Request for*
9 *Inspection of Document* upon Plaintiff Walker, requiring Plaintiff to produce the
10 Questioned Document for inspection;

11 THE COURT FURTHER FINDS that Plaintiff ignored Defendants' properly served
12 *Request for Inspection of Document* and, in violation of discovery requirements,
13 refused to produce the Questioned Document as he was required to under Nevada
14 Rule of Civil Procedure 34;

15 THE COURT FURTHER FINDS that Plaintiff ignored all of Defendants' verbal and
16 written requests to examine the Questioned Document;

17 THE COURT FURTHER FINDS that Plaintiff Walker orally requested at the hearing
18 on Defendants' motion in limine that the matter be continued, trailed on the
19 Court's calendar, for the production of the Questioned Document;

20 THE COURT FURTHER FINDS that this Court continued the hearing of Defendants'
21 motion in limine at the oral request of Plaintiff Walker, trailing the hearing on the
22 Court's calendar to allow Plaintiff to obtain and produce the Questioned Document,
23 after which time Plaintiff Walker left the courtroom and did not return;
24
25

1 THE COURT FURTHER FINDS that Plaintiff Walker was provided an opportunity by
2 this Court, at the hearing of Defendants' motion in limine to produce the
3 Questioned Document, but Plaintiff refused to do so;

4 THE COURT FURTHER FINDS that Plaintiff Walker was instructed by this Court to
5 provide the Questioned Document to Defendants' counsel, Kenneth Roberts, Esq.;

6 THE COURT FURTHER FINDS that Plaintiff Walker disregarded the instruction of
7 this Court, and refused to provide the Questioned Document to Defendants'
8 counsel, Kenneth Roberts, Esq.;

9 THE COURT FURTHER FINDS that Plaintiff Walker was advised by this Court
10 multiple times that Defendants' motion in limine would be granted if Plaintiff did
11 not show the Questioned Document to Defendants;

12 THE COURT FINDS that no timely opposition to Defendants' motion in limine
13 was filed by Plaintiff;

14 **ORDER**

15 IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that Plaintiff Walker is
16 not permitted to use, show, offer, or refer to the document identified by Plaintiff
17 as Bates stamp "PT W-001" at any hearing or trial in this matter;

18 IT IS FURTHER ORDERED that that Plaintiff Walker is not permitted to use,
19 show, offer, or refer to any copies or reproductions of the document identified by
20 Plaintiff as Bates stamp "PT W-001," in whole or in part, at any hearing or trial in
21 this matter;

1 IT IS FURTHER ORDERED that that Plaintiff Walker is not permitted to offer
2 testimony about, or referring to, the document identified by Plaintiff as Bates
3 stamp "PT W-001," either himself or through other witnesses, at any hearing or
4 trial in this matter.

5 IT IS SO ORDERED.

6 Dated this 5th day of October, 2020.

7
8 
9 DISTRICT COURT JUDGE

10 Respectfully submitted by:

11
12 /s/Kenneth Roberts

13 KENNETH M. ROBERTS, ESQ.

14 Nevada Bar No. 04729

15 DEMPSEY, ROBERTS & SMITH, LTD.

16 1130 Wigwam Parkway

17 Henderson, Nevada 89074

18 Attorneys for Defendants

19 Floyd Grimes, Jalee Arnone,

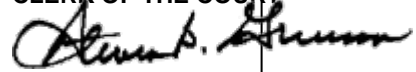
20 Elizabeth Grimes, Victoria Jean Halsey,

21 WBG Trust

22 Approved as to form and content:

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THOMAS WALKER
Plaintiff, pro se



1 NEOJ
2 KENNETH M. ROBERTS, ESQ.
3 Nevada Bar No. 4729
4 DAVID E. KRAWCZYK, ESQ.
5 Nevada Bar No. 12423
6 DEMPSEY, ROBERTS & SMITH, LTD.
7 1130 Wigwam Parkway
8 Henderson, Nevada 89074
9 Tel: 702-388-1216
10 Fax: 702-388-2514
11 E-Mail: kenroberts@drsLtd.com
12 Attorney for Defendants

13 **DISTRICT COURT**

14 **CLARK COUNTY, NEVADA**

15 THOMAS WALKER,

16 Plaintiff,

17 vs.

18 FLOYD WAYNE GRIMES, an individual, WBG
19 TRUST, Floyd Grimes, and Elizabeth Grimes as
20 Trustees, ELIZABETH GRIMES, an individual,
21 VICTORIA JEAN HALSEY, an individual and as
22 the Agent of Floyd Wayne Grimes, JALEE
23 ARNONE, an individual, and PETER ARNONE,
24 an individual, DOES 1 through 20, and ROE
25 BUSINESS ENTITIES 20 through 50, inclusive,

Defendants.

FLOYD WAYNE GRIMES, an individual,

Counterclaimant,

vs.

THOMAS WALKER, an individual, DOES 1
through 10, ROE ENTITIES 11 through 20,
inclusive,

Counterdefendants.

CASE NO.: A-18-783375-C

DEPT. NO.: XXXI

**NOTICE OF ENTRY
OF ORDER**

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NOTICE OF ENTRY OF ORDER

PLEASE TAKE NOTICE that an Order was duly entered in the above-referenced case on the 5th day of October 2020. A copy of which is attached hereto.

DATED: Henderson, Nevada this 5th day of October 2020.

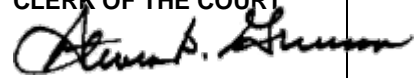
/s/ Kenneth Roberts
KENNETH M. ROBERTS, ESQ.
Nevada Bar No.: 4729
1130 Wigwam Parkway
Henderson, Nevada 89074

CERTIFICATE OF MAILING

I hereby certify that pursuant to Rule 5(b) of the NRCp, on the 5th day of October 2020, I served a copy of the foregoing upon all interested parties by depositing copies of the same in a sealed envelope, in the United States Mail, First Class Postage fully prepaid, and addressed to:

THOMAS WALKER
6253 Rocky Mountain Avenue
Las Vegas, Nevada 89156

/s/ Elsa McMurtry
Elsa McMurtry, an employee of
Dempsey, Roberts & Smith, Ltd.



ORDR

KENNETH M. ROBERTS, ESQ.
Nevada Bar No. 04729
DEMPSEY, ROBERTS & SMITH, LTD.
1130 Wigwam Parkway
Henderson, Nevada 89074
Tel: (702) 388-1216
Fax: (702) 388-2514
Kenroberts@drsLtd.com
Attorneys for Defendants
Floyd Grimes, Jalee Arnone,
Elizabeth Grimes, Victoria Jean Halsey,
WBG Trust

DISTRICT COURT

CLARK COUNTY, NEVADA

THOMAS WALKER, an individual,
Plaintiff,

v.

FLOYD W. GRIMES, WBG TRUST,
ELIZABETH GRIMES, VICTORIA JEAN
HALSEY, JALEE ARNONE, PETER
ARNONE, DOES 1 through 20, and
ROE BUSINESS ENTITIES 20 through
50, inclusive,
Defendants.

CASE NO. A-18-783375-C
Dept. No. 31

**ORDER GRANTING
DEFENDANTS' MOTION IN
LIMINE**

And related matters.

Defendants' *Motion in Limine to Exclude Document* having come on for hearing before the Court on the 25th day of February 2020, Plaintiff Walker appearing pro se and Kenneth M. Roberts, Esq., of the law firm of Dempsey, Roberts & Smith, Ltd., appearing for and on behalf of Defendants Floyd Grimes, Elizabeth Grimes, Victoria Jean Halsey, Jalee Arnone and the WBG Trust, the Court having reviewed all of the

1 papers and pleadings filed in this matter, the Court being fully advised in the
2 premises, and with good cause appearing therefore, finds and orders as follows:

3
4 **FINDINGS**

5 THE COURT FINDS that Defendants, through counsel, made repeated verbal
6 and written requests seeking inspection of the of the original document identified
7 by Plaintiff as Bates stamp "PT W-001" (the "Questioned Document");

8 THE COURT FURTHER FINDS that Defendants timely served a *Request for*
9 *Inspection of Document* upon Plaintiff Walker, requiring Plaintiff to produce the
10 Questioned Document for inspection;

11 THE COURT FURTHER FINDS that Plaintiff ignored Defendants' properly served
12 *Request for Inspection of Document* and, in violation of discovery requirements,
13 refused to produce the Questioned Document as he was required to under Nevada
14 Rule of Civil Procedure 34;

15 THE COURT FURTHER FINDS that Plaintiff ignored all of Defendants' verbal and
16 written requests to examine the Questioned Document;

17 THE COURT FURTHER FINDS that Plaintiff Walker orally requested at the hearing
18 on Defendants' motion in limine that the matter be continued, trailed on the
19 Court's calendar, for the production of the Questioned Document;

20 THE COURT FURTHER FINDS that this Court continued the hearing of Defendants'
21 motion in limine at the oral request of Plaintiff Walker, trailing the hearing on the
22 Court's calendar to allow Plaintiff to obtain and produce the Questioned Document,
23 after which time Plaintiff Walker left the courtroom and did not return;
24
25

1 THE COURT FURTHER FINDS that Plaintiff Walker was provided an opportunity by
2 this Court, at the hearing of Defendants' motion in limine to produce the
3 Questioned Document, but Plaintiff refused to do so;

4 THE COURT FURTHER FINDS that Plaintiff Walker was instructed by this Court to
5 provide the Questioned Document to Defendants' counsel, Kenneth Roberts, Esq.;

6 THE COURT FURTHER FINDS that Plaintiff Walker disregarded the instruction of
7 this Court, and refused to provide the Questioned Document to Defendants'
8 counsel, Kenneth Roberts, Esq.;

9 THE COURT FURTHER FINDS that Plaintiff Walker was advised by this Court
10 multiple times that Defendants' motion in limine would be granted if Plaintiff did
11 not show the Questioned Document to Defendants;

12 THE COURT FINDS that no timely opposition to Defendants' motion in limine
13 was filed by Plaintiff;

14 **ORDER**

15 IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that Plaintiff Walker is
16 not permitted to use, show, offer, or refer to the document identified by Plaintiff
17 as Bates stamp "PT W-001" at any hearing or trial in this matter;

18 IT IS FURTHER ORDERED that that Plaintiff Walker is not permitted to use,
19 show, offer, or refer to any copies or reproductions of the document identified by
20 Plaintiff as Bates stamp "PT W-001," in whole or in part, at any hearing or trial in
21 this matter;

1 IT IS FURTHER ORDERED that that Plaintiff Walker is not permitted to offer
2 testimony about, or referring to, the document identified by Plaintiff as Bates
3 stamp "PT W-001," either himself or through other witnesses, at any hearing or
4 trial in this matter.

5 IT IS SO ORDERED.

6 Dated this 5th day of October, 2020.

7
8 
9 DISTRICT COURT JUDGE

10 Respectfully submitted by:

11
12 /s/Kenneth Roberts

13 KENNETH M. ROBERTS, ESQ.

14 Nevada Bar No. 04729

15 DEMPSEY, ROBERTS & SMITH, LTD.

16 1130 Wigwam Parkway

17 Henderson, Nevada 89074

18 Attorneys for Defendants

19 Floyd Grimes, Jalee Arnone,

20 Elizabeth Grimes, Victoria Jean Halsey,

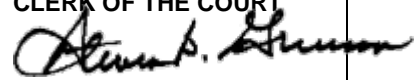
21 WBG Trust

22 Approved as to form and content:

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THOMAS WALKER

Plaintiff, pro se



ORD
KENNETH M. ROBERTS, ESQ.
Nevada Bar No. 004729
DEMPSEY, ROBERTS & SMITH, LTD
1130 Wigwam Parkway
Henderson, Nevada 89074
(702) 388-1216 (Telephone)
(702) 388-2514 (Facsimile)
KenRoberts@drsLtd.com (Email)
Attorneys for Defendants

DISTRICT COURT
CLARK COUNTY, NEVADA

THOMAS WALKER,

Plaintiff,

vs.

FLOYD WAYNE GRIMES, an individual, WBG
TRUST, Floyd Grimes, and Elizabeth Grimes as
Trustees, ELIZABETH GRIMES, an individual,
VICTORIA JEAN HALSEY, an individual and as
the Agent of Floyd Wayne Grimes, JALEE
ARNONE, an individual, and PETER ARNONE, an
individual, DOES 1 through 20, and ROE
BUSINESS ENTITIES 20 through 50, inclusive,

Defendant.

CASE NO.

A-18-783375-C

Dept. No.: XXXI

ORDER ON DEFENDANT'S
APPLICATION FOR A
TEMPORARY WRIT OF
RESTITUTION

FLOYD WAYNE GRIMES, an individual, JALEE
ARNONE, an individual,

Counterclaimants,

vs.

THOMAS WALKER, an individual, DOES 1
through 10, ROE ENTITIES 11 through 20,
inclusive,

Counterdefendants.

Date of Hearing:

October 24, 2019

Time of Hearing:

9:00 a.m.

ORDER

This matter having come on for hearing on the above indicated date, the Plaintiff/counterdefendant present appearing in proper persons and Counterclaimants not present but represented by their attorney, KENNETH M. ROBERTS, ESQ. of the law firm Dempsey, Roberts & Smith, Ltd., appearing before the HONORABLE JOANNA S. KISHNER and the Court having reviewed the Application, papers and documents attached thereto, arguments of counsel and good cause appearing;

THE COURT HEREBY FINDS that Counterclaimants have provided to the Court a copy of a deed showing Jalee Arnone as the owner of record at the Clark County Recorder's Office of the subject property, commonly known as 6253 Rocky Mountain Avenue, Las Vegas, Nevada .

THE COURT FURTHER FINDS that Plaintiff/counterdefendant has resided in the subject residence since February 2005.

THE COURT FURTHER FINDS that in 2012 Plaintiff/counterdefendant became aware that counterclaimants considered him a tenant, not a purchaser of the subject property.

THE COURT FURTHER FINDS that after the meeting between Plaintiff/counterdefendant and Counterlcaimant Floyd Grimes, Plaintiff/counterdefendant continued making payments to Counterclaimant Floyd Grimes and eventually stopped making payments to the Counterclaimants in 2015. THE COURT FURTHER FINDS that Counterdefendant has provided no admissible evidence to this Court to support his allegation that he owns the subject property commonly known as 6253 Rocky Mountain Avenue, Las Vegas, Nevada.

THE COURT FURTHER FINDS that Counterdefendant has provided this court with no admissible evidence to convince this Court that he should be allowed to continue living in the subject residence without making rent payments.

1 THEREFORE IT IS HEREBY ORDERED AND ADJUDGED that Counterclaimants'
2 Application for a Temporary Writ of Repossession is granted.

3 IT IS FURTHER ORDERED AND ADJUDGED that until further Order of this Court,
4 Plaintiff/counterdefendant shall pay the sum of \$700.00 not later than the 15th day of each month into
5 the client trust account of Counterclaimants' counsel, Dempsey, Roberts & Smith, Ltd.

6 IT IS FURTHER ORDERED AND ADJUDGED that Defendants' counsel shall retain the funds
7 received from Plaintiff/counterdefendant in Defendants' counsel's client trust account and cannot be
8 released until further Order of this Court.

9 IT IS FURTHER ORDERED AND ADJUDGED that Defendants' counsel shall prepare the
10 Order and provide a copy to the Pro Se litigant at the same time it is served upon the Court.

11 DATED and DONE this 19 day of May, 2020.

12 
13 DISTRICT JUDGE

14 Submitted by:

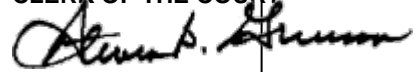
15 DEMPSEY, ROBERTS & SMITH, LTD.

16 By: /s/Kenneth Roberts
17 KENNETH M. ROBERTS, ESQ.
18 Attorney for Defendants/counterclaimants

19 Approved as to Form and Content:

20 Thomas Walker

Date



1 NEOJ
2 KENNETH M. ROBERTS, ESQ.
3 Nevada Bar No. 4729
4 DAVID E. KRAWCZYK, ESQ.
5 Nevada Bar No. 12423
6 DEMPSEY, ROBERTS & SMITH, LTD.
7 1130 Wigwam Parkway
8 Henderson, Nevada 89074
9 Tel: 702-388-1216
10 Fax: 702-388-2514
11 E-Mail: kenroberts@drs ltd.com
12 Attorney for Defendants

13 **DISTRICT COURT**

14 **CLARK COUNTY, NEVADA**

15 THOMAS WALKER,

16 Plaintiff,

17 vs.

18 FLOYD WAYNE GRIMES, an individual, WBG
19 TRUST, Floyd Grimes, and Elizabeth Grimes as
20 Trustees, ELIZABETH GRIMES, an individual,
21 VICTORIA JEAN HALSEY, an individual and as
22 the Agent of Floyd Wayne Grimes, JALEE
23 ARNONE, an individual, and PETER ARNONE,
24 an individual, DOES 1 through 20, and ROE
25 BUSINESS ENTITIES 20 through 50, inclusive,

Defendants.

FLOYD WAYNE GRIMES, an individual,

Counterclaimant,

vs.

THOMAS WALKER, an individual, DOES 1
through 10, ROE ENTITIES 11 through 20,
inclusive,

Counterdefendants.

CASE NO.: A-18-783375-C

DEPT. NO.: XXXI

**NOTICE OF ENTRY
OF ORDER**

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NOTICE OF ENTRY OF ORDER

PLEASE TAKE NOTICE that an Order was duly entered in the above-referenced case on the 20th day of May 2020. A copy of which is attached hereto.

DATED: Henderson, Nevada this 20th day of May 2020.

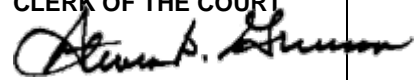
/s/ Kenneth Roberts
KENNETH M. ROBERTS, ESQ.
Nevada Bar No.: 4729
1130 Wigwam Parkway
Henderson, Nevada 89074

CERTIFICATE OF MAILING

I hereby certify that pursuant to Rule 5(b) of the NRCP, on the 20th day of May, 2020, I served a copy of the foregoing upon all interested parties by depositing copies of the same in a sealed envelope, in the United States Mail, First Class Postage fully prepaid, and addressed to:

THOMAS WALKER
6253 Rocky Mountain Avenue
Las Vegas, Nevada 89156

/s/ Elsa McMurtry
Elsa McMurtry, an employee of
Dempsey, Roberts & Smith, Ltd.



ORD
KENNETH M. ROBERTS, ESQ.
Nevada Bar No. 004729
DEMPSEY, ROBERTS & SMITH, LTD
1130 Wigwam Parkway
Henderson, Nevada 89074
(702) 388-1216 (Telephone)
(702) 388-2514 (Facsimile)
KenRoberts@drsLtd.com (Email)
Attorneys for Defendants

DISTRICT COURT
CLARK COUNTY, NEVADA

THOMAS WALKER,

Plaintiff,

vs.

FLOYD WAYNE GRIMES, an individual, WBG
TRUST, Floyd Grimes, and Elizabeth Grimes as
Trustees, ELIZABETH GRIMES, an individual,
VICTORIA JEAN HALSEY, an individual and as
the Agent of Floyd Wayne Grimes, JALEE
ARNONE, an individual, and PETER ARNONE, an
individual, DOES 1 through 20, and ROE
BUSINESS ENTITIES 20 through 50, inclusive,

Defendant.

CASE NO.

A-18-783375-C

Dept. No.: XXXI

ORDER ON DEFENDANT'S
APPLICATION FOR A
TEMPORARY WRIT OF
RESTITUTION

FLOYD WAYNE GRIMES, an individual, JALEE
ARNONE, an individual,

Counterclaimants,

vs.

THOMAS WALKER, an individual, DOES 1
through 10, ROE ENTITIES 11 through 20,
inclusive,

Counterdefendants.

Date of Hearing:

October 24, 2019

Time of Hearing:

9:00 a.m.

ORDER

This matter having come on for hearing on the above indicated date, the Plaintiff/counterdefendant present appearing in proper persons and Counterclaimants not present but represented by their attorney, KENNETH M. ROBERTS, ESQ. of the law firm Dempsey, Roberts & Smith, Ltd., appearing before the HONORABLE JOANNA S. KISHNER and the Court having reviewed the Application, papers and documents attached thereto, arguments of counsel and good cause appearing;

THE COURT HEREBY FINDS that Counterclaimants have provided to the Court a copy of a deed showing Jalee Arnone as the owner of record at the Clark County Recorder's Office of the subject property, commonly known as 6253 Rocky Mountain Avenue, Las Vegas, Nevada .

THE COURT FURTHER FINDS that Plaintiff/counterdefendant has resided in the subject residence since February 2005.

THE COURT FURTHER FINDS that in 2012 Plaintiff/counterdefendant became aware that counterclaimants considered him a tenant, not a purchaser of the subject property.

THE COURT FURTHER FINDS that after the meeting between Plaintiff/counterdefendant and Counterlcaimant Floyd Grimes, Plaintiff/counterdefendant continued making payments to Counterclaimant Floyd Grimes and eventually stopped making payments to the Counterclaimants in 2015. THE COURT FURTHER FINDS that Counterdefendant has provided no admissible evidence to this Court to support his allegation that he owns the subject property commonly known as 6253 Rocky Mountain Avenue, Las Vegas, Nevada.

THE COURT FURTHER FINDS that Counterdefendant has provided this court with no admissible evidence to convince this Court that he should be allowed to continue living in the subject residence without making rent payments.

1 THEREFORE IT IS HEREBY ORDERED AND ADJUDGED that Counterclaimants'
2 Application for a Temporary Writ of Repossession is granted.

3 IT IS FURTHER ORDERED AND ADJUDGED that until further Order of this Court,
4 Plaintiff/counterdefendant shall pay the sum of \$700.00 not later than the 15th day of each month into
5 the client trust account of Counterclaimants' counsel, Dempsey, Roberts & Smith, Ltd.

6 IT IS FURTHER ORDERED AND ADJUDGED that Defendants' counsel shall retain the funds
7 received from Plaintiff/counterdefendant in Defendants' counsel's client trust account and cannot be
8 released until further Order of this Court.

9 IT IS FURTHER ORDERED AND ADJUDGED that Defendants' counsel shall prepare the
10 Order and provide a copy to the Pro Se litigant at the same time it is served upon the Court.

11 DATED and DONE this 19 day of May, 2020.

12 
13 DISTRICT JUDGE

14 Submitted by:

15 DEMPSEY, ROBERTS & SMITH, LTD.

16 By: /s/Kenneth Roberts
17 KENNETH M. ROBERTS, ESQ.
18 Attorney for Defendants/counterclaimants

19 Approved as to Form and Content:

20 Thomas Walker

Date

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

August 13, 2019

A-18-783375-C Thomas Walker, Plaintiff(s)
vs.
Floyd Grimes, Defendant(s)

**August 13, 2019 10:30 AM Mandatory Rule 16
Conference**

HEARD BY: Kishner, Joanna S.

COURTROOM: RJC Courtroom 12B

COURT CLERK: Susan Botzenhart

RECORDER: Sandra Harrell

REPORTER:

PARTIES

PRESENT: Roberts, Kenneth M, ESQ Attorney
Walker, Thomas Plaintiff
Counter Defendant

JOURNAL ENTRIES

- Plaintiff Thomas Walker, present in proper person. Upon Court's inquiry, Mr. Walker provided his correct address. Court reminded Plaintiff to make sure the Clerk's office has his correct address. Estimate was 2-3 days for trial. Court reviewed with parties the Joint Case Conference Report (JCCR) filed July 19, 2019, and Mandatory Rule 16 Pre-Trial Scheduling Conference Order filed July 24, 2019. Thereafter, Court inquired about whether a settlement conference / mediation would be necessary in this matter. Defense counsel confirmed his client would be open to having one. Plaintiff declined on having one. Court stated it will not order a settlement conference. Court adopted the proposed deadline dates in the JCCR. COURT ORDERED, trial date SET. New trial and scheduling order to issue from Chambers. Matter SET for status check.

11/12/19 9:00 A.M. STATUS CHECK: STATUS OF CASE

2/13/20 10:15 A.M. PRE-TRIAL CONFERENCE

A-18-783375-C

3/10/20 9:00 A.M. CALENDAR CALL

3/16/20 9:00 A.M. TRIAL BY JURY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property	COURT MINUTES	October 10, 2019
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A-18-783375-C	Thomas Walker, Plaintiff(s) vs. Floyd Grimes, Defendant(s)
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October 10, 2019 9:00 AM Motion

HEARD BY: Kishner, Joanna S. **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Susan Botzenhart

RECORDER: Sandra Harrell

REPORTER:

PARTIES

PRESENT:	Grimes, Elizabeth	Defendant
		Trustee
	Roberts, Kenneth M, ESQ	Attorney
	Walker, Thomas	Plaintiff
		Counter Defendant

JOURNAL ENTRIES

- Mr. Walker appeared in proper person. Arguments by Mr. Roberts in support of relief requested. Mr. Walker responded to the arguments, and also stated he had a written opposition prepared for the Motion. At request of Plaintiff, and there being no objection, COURT ORDERED, matter CONTINUED one week for the opposition to be filed, with a courtesy copy to be provided by Plaintiff, and for a written reply to be filed by Defendant, with a courtesy copy to be provided for the Court.

10/24/19 9:30 A.M. COUNTERCLAIMANTS JALEE ARNONE AND FLOYD GRIMES'
APPLICATION FOR TEMPORARY WRIT OF RESTITUTION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

October 24, 2019

A-18-783375-C	Thomas Walker, Plaintiff(s)
	vs.
	Floyd Grimes, Defendant(s)

October 24, 2019 9:30 AM Motion

HEARD BY: Kishner, Joanna S.

COURTROOM: RJC Courtroom 12B

COURT CLERK: Shelley Boyle

RECORDER: Sandra Harrell

REPORTER:

PARTIES

PRESENT:	Roberts, Kenneth M, ESQ	Attorney
	Walker, Thomas	Plaintiff
		Counter Defendant

JOURNAL ENTRIES

- Extensive argument regarding Pltf's. understanding of the terms of the agreement between the parties, the lack of a signed contract, Pltf's. receipts totaling more than \$91,000.00, Pltf's. non-payment of rent since 2015, and the public records indication of who the legal owner of the property is. Mr. Roberts argued Pltf's. argument regarding Rule 56 does not apply as Rule 56 is a summary judgment rule with strict requirements that there be a genuine issue of material fact. Pltf. argued the agreement was for Pltf. to \$800.00 for the first 25 months, the extra \$2500.00 would be used as the down payment. Adding, most of his communications and payments were with Mr. Grimes daughter, Vicky. His records indicate \$63,000.00 had been paid by 2012, the total purchase was to be \$69,000.00 with interest and everything.

Mr. Roberts requested Pltf. pay \$700.00 into his trust account or to the Court pending the outcome of the trial, first payment due 11/01/19. COURT STATED Its inclination and FINDINGS, and ORDERED, Application GRANTED. Pltf. is to pay \$700.00 per month, first payment DUE by 11/15/19. Parties STIPULATE payment is to be to Deft's. trust account. The funds must be

segregated and CAN NOT be released without a Court Order. Mr. Roberts is to prepare the Order, provide a copy to the Pro Se litigant at the same time it is served upon the Court, within 10 days of today's hearing.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property	COURT MINUTES	November 12, 2019
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A-18-783375-C	Thomas Walker, Plaintiff(s) vs. Floyd Grimes, Defendant(s)
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November 12, 2019	9:00 AM	Status Check: Status of Case
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HEARD BY: Kishner, Joanna S.	COURTROOM: RJC Courtroom 12B
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COURT CLERK: Susan Botzenhart

RECORDER: Sandra Harrell

REPORTER:

PARTIES

PRESENT:	Roberts, Kenneth M, ESQ Walker, Thomas	Attorney Plaintiff Counter Defendant
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JOURNAL ENTRIES

- Mr. Walker appeared in proper person. Court reminded both sides the order from the hearing dated October 24, 2019 was not submitted. Mr. Roberts confirmed he will make sure such order gets submitted to the Court. Court provided the upcoming court dates. Mr. Walker stated he will be filing a response to the Motion to withdraw scheduled for December 5, 2019, and he will not be opposing the Motion. Following discussions as to there being no other outstanding issues for Court to address, Court noted it will leave the Motion to withdraw on for December 5, 2019 at 9:00 a.m.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property	COURT MINUTES	December 05, 2019
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A-18-783375-C	Thomas Walker, Plaintiff(s) vs. Floyd Grimes, Defendant(s)
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December 05, 2019	9:00 AM	Motion to Withdraw as Counsel
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HEARD BY: Kishner, Joanna S.	COURTROOM: RJC Courtroom 12B
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COURT CLERK: Susan Botzenhart

RECORDER: Sandra Harrell

REPORTER:

PARTIES

PRESENT:	Roberts, Kenneth M, ESQ Walker, Thomas	Attorney Plaintiff Counter Defendant
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JOURNAL ENTRIES

- Mr. Walker appeared in proper person. At request of counsel, and there being no objection by Plaintiff, the Court did not rule and the Motion was WITHDRAWN.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property	COURT MINUTES	February 13, 2020
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A-18-783375-C	Thomas Walker, Plaintiff(s) vs. Floyd Grimes, Defendant(s)
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February 13, 2020 10:15 AM Pre Trial Conference

HEARD BY: Kishner, Joanna S. **COURTROOM:** RJC Courtroom 12B

COURT CLERK:

RECORDER: Sandra Harrell

REPORTER:

PARTIES

PRESENT: Roberts, Kenneth M, ESQ Walker, Thomas	Attorney Plaintiff Counter Defendant
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JOURNAL ENTRIES

- Court noted trial expected to last 2-3 days. Colloquy regarding scheduling. Court stated the case would be #3 on the stack. COURT ORDERED, jury trial and calendar call SET; joint pre-trial memorandum due March 17, 2020 by end of day.

3/24/2020 9:00 AM CALENDAR CALL

4/1/2020 9:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property	COURT MINUTES	February 25, 2020
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A-18-783375-C	Thomas Walker, Plaintiff(s) vs. Floyd Grimes, Defendant(s)
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February 25, 2020 9:00 AM Motion in Limine

HEARD BY: Kishner, Joanna S. **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Michaela Tapia

RECORDER: Sandra Harrell

REPORTER:

PARTIES

PRESENT:	Roberts, Kenneth M, ESQ Walker, Thomas	Attorney Plaintiff Counter Defendant
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JOURNAL ENTRIES

- Court noted no opposition to the motion and indicated it had told Mr. Walker multiple times if he does not show the original document, it was inclined to grant the motion. At the request of Mr. Walker, MATTER TRAILED for production of document. MATTER RECALLED. Mr. Walker no longer present. Court stated it had instructed Mr. Walker to provide Mr. Roberts the document at issue. Argument in support of the motion by Mr. Roberts. Pursuant to EDCR 2.20, COURT ORDERED, motion GRANTED, noting Mr. Walker had requested matter be trailed for the production of document but did not return to Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property	COURT MINUTES	July 07, 2020
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A-18-783375-C	Thomas Walker, Plaintiff(s) vs. Floyd Grimes, Defendant(s)
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July 07, 2020	9:00 AM	Status Check: Trial Setting
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HEARD BY: Kishner, Joanna S.	COURTROOM: RJC Courtroom 12B
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COURT CLERK: Carolyn Jackson

RECORDER: Sandra Harrell

REPORTER:

PARTIES

PRESENT:	Roberts, Kenneth M, ESQ Walker, Thomas	Attorney Plaintiff Counter Defendant
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JOURNAL ENTRIES

- Thomas Walker, Plaintiff and Counter Defendant, appearing Pro-Se.

Court noted this matter was set for Status Check: Trial Setting. Mr. Roberts and Mr. Walker advised the October 12, 2020 trial stack was acceptable. Upon Court's inquiry, Mr. Walker advised he is not amendable with a Settlement Conference.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property

COURT MINUTES

September 10, 2020

A-18-783375-C Thomas Walker, Plaintiff(s)
vs.
Floyd Grimes, Defendant(s)

September 10, 2020 10:15 AM Pre Trial Conference

HEARD BY: Kishner, Joanna S.

COURTROOM: RJC Courtroom 12B

COURT CLERK: Alice Jacobson

RECORDER: Sandra Harrell

REPORTER:

PARTIES

PRESENT: Roberts, Kenneth M, ESQ Attorney
Walker, Thomas Plaintiff
 Counter Defendant

JOURNAL ENTRIES

- Counsel agreed to reset the trial due to Covid 19 pandemic. COURT ORDERED, trial dates VACATED and RESET.

12/17/20 9:00AM STATUS CHECK
1/5/21 9:00AM CALENDAR CALL
1/20/21 9:00AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property	COURT MINUTES	October 29, 2020
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A-18-783375-C	Thomas Walker, Plaintiff(s) vs. Floyd Grimes, Defendant(s)
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October 29, 2020 9:00 AM Show Cause Hearing

HEARD BY: Kishner, Joanna S. **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Carolyn Jackson

RECORDER: Sandra Harrell

REPORTER:

PARTIES

PRESENT:	Roberts, Kenneth M, ESQ	Attorney
	Walker, Thomas	Plaintiff
		Counter Defendant

JOURNAL ENTRIES

- Court stated this matter was on for a show cause hearing based on the previous order of May 2020, wherein the Plaintiff was ordered to pay restitution of \$700 each month on the 15th day, to be held in trust until the resolution of the case. Mr. Roberts concurred with the Court's assessment and advised no payments have been made and the Plaintiff had not provided an excuse for non-payment or communicated with Mr. Roberts. Upon Court's inquiry, Mr. Walker advised he had made no payments since he was waiting on transcripts from prior hearings and the COVID-19 pandemic affected his ability to obtain employment. Further, Mr. Walker requested a 2 week continuance. Further arguments by Mr. Roberts in support of the merits of the Motion. Following arguments, Court stated its FINDINGS and ORDERED, matter SET for evidentiary hearing regarding contempt.

11/05/2020 1:00 PM EVIDENTIARY HEARING RE: CONTEMPT

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property

COURT MINUTES

November 05, 2020

A-18-783375-C Thomas Walker, Plaintiff(s)
vs.
Floyd Grimes, Defendant(s)

November 05, 2020 1:00 PM Evidentiary Hearing

HEARD BY: Kishner, Joanna S.

COURTROOM: RJC Courtroom 12B

COURT CLERK: Alice Jacobson

RECORDER: Patti Slattery

REPORTER:

PARTIES

PRESENT: Roberts, Kenneth M, ESQ Attorney
Walker, Thomas Plaintiff
 Counter Defendant

JOURNAL ENTRIES

- Mr. Roberts advised that Mr. Walker had made payment and was current through October and the next payment was due November 15th. Court does not find Mr. Walker in contempt of Court and will reserve ruling of attorney fees and costs in conjunction with this hearing. Colloquy regarding settlement conference. At the agreement of the parties, COURT ORDERED, parties to participate in a Mandatory Settlement Conference with a Senior Judge.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property	COURT MINUTES	December 08, 2020
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A-18-783375-C	Thomas Walker, Plaintiff(s) vs. Floyd Grimes, Defendant(s)	
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December 08, 2020	9:00 AM	Settlement Conference
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HEARD BY: Barker, David **COURTROOM:** No Location

COURT CLERK: Nicole McDevitt

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- A settlement conference was held in front of the Honorable David Barker in which the case was unable to be settled.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property	COURT MINUTES	December 17, 2020
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A-18-783375-C	Thomas Walker, Plaintiff(s) vs. Floyd Grimes, Defendant(s)
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**December 17, 2020 9:00 AM Status Check: Trial
Readiness**

HEARD BY: Kishner, Joanna S. **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Alice Jacobson

RECORDER: Deloris Scott

REPORTER:

PARTIES

PRESENT: Roberts, Kenneth M, ESQ Walker, Thomas	Attorney Plaintiff Counter Defendant
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JOURNAL ENTRIES

- Status provided.

Mr. Walker requested to amend the Complaint to narrow down the claims and to reopen discovery. Objection o reopening discovery, by Mr. Roberts. Court instructed Mr. Walker to submit a Motion to Amend the Complaint and advised discovery would not be reopened.

Mr. Walker stated he preferred a Jury Trial. Mr. Roberts did not object to a Bench Trial. Court advised that a trial date will be reset in March or April 2021 and will send out a scheduling order.

Mr. Roberts noted that \$700.00 a month payments were now being made by Plaintiff. Court instructed Plaintiff to keep payments current.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property	COURT MINUTES	March 09, 2021
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A-18-783375-C	Thomas Walker, Plaintiff(s) vs. Floyd Grimes, Defendant(s)
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March 09, 2021 9:00 AM Motion for Judgment

HEARD BY: Kishner, Joanna S. **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Natalie Ortega

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Krawczyk, David E.	Attorney
	Roberts, Kenneth M, ESQ	Attorney
	Walker, Thomas	Plaintiff
		Counter Defendant

JOURNAL ENTRIES

- All parties present via Blue Jeans.

Mr. Roberts argued in support of the instant Motion, stating that a number of the causes of action were based upon criminal statutes. Additionally, Mr. Roberts argued that four or five of the causes of action were based upon the putative contract, which was excluded by the granting of a Motion in Limine. Upon Court's inquiry, Mr. Walker stated that he filed an Opposition; however, it was filed in the middle of the night on March 8, 2021. The Court advised that such a late filing was not fair to the other side, noting that, although Mr. Walker had been granted some leniency due to his pro per status, he must follow the rules. Mr. Walker stated that he filed for an extension of time on March 8, 2021. Mr. Walker argued in opposition, citing multiple cases in support. The Court noted that Mr. Walker could not cite multiple cases, when said cases were improper as to timing, and did not relate to the issues at hand. Based upon arguments by Mr. Walker, the Court inquired as to the Grimes

Defendants, whether they made an admission in a written document that they no longer owned the property, and had no standing to pursue the instant case. Mr. Roberts answered the Court's inquiry in the negative, stating that there had been no admission that the property had ever been purchased by Mr. Walker, nor was there ever any intent to make that admission. The COURT DIRECTED Mr. Walker to find the title of the document he was referencing. Mr. Roberts stated that the objection regarding the lack of timeliness to any opposition Mr. Walker may bring. Mr. Walker indicated that he was referring to the Defendants' 1st Amended Answer to Plaintiffs' Complaint, date December 17, 2018, page 2, line 12. Matter trailed to allow the Court to hear another case.

Matter recalled. Mr. Roberts stated there was an indication that Defendants admitted to the allegations set forth in paragraph 204, the substance of said paragraph being that on or about August 13, 2018, Defendant Floyd Grimes, and his wife Elizabeth Grimes, acting as trustees for the trust, conveyed the property to Defendant Jalee Arnone; however, in the middle of that paragraph, there was the phrase "purchased by Plaintiff". Mr. Roberts clarified there was no intention to admit Plaintiff purchased the property, as he had provided no documents to show that he purchased the property; therefore, the phrase "purchased by Plaintiff" could be removed. Upon Court's inquiry regarding whether the movant wished for the Court to rule on the instant Motion, or withdraw it without prejudice, Mr. Roberts stated that there was no understanding as to how the untimely assertion by Mr. Walker related to any of the claims in the instant Motion. The Court having reiterated its questions, Mr. Roberts stated that it would submit on the pleadings, and have the Court rule on the instant Motion. At the request of the Court, Mr. Walker read paragraph 204 into the record.

COURT ORDERED Defendants' Motion for Judgment on the Pleadings was hereby GRANTED IN PART / DENIED IN PART, FINDING and ORDERING the following: (1) the portions of the instant Motion which were granted, were granted substantively, and pursuant to EDCR 2.20, due to the failure to timely file an Opposition; (2) GRANTED as to the first cause of action, as it was a criminal action; (3) DENIED WITHOUT PREJUDICE as to the second cause of action, as there were potential issues regarding whether there was an admission as to ownership; (4) GRANTED as to the third cause of action, as there was no government action asserted in the instant case; (5) GRANTED as to the fourth cause of action, as there was no public action in the instant case; (6) GRANTED as the fifth cause of action, as it was a criminal cause of action; (7) DENIED WITHOUT PREJUDICE as to the sixth cause of action; (8) GRANTED as to the seventh cause of action, as there was no tortious breach of contract alleged; (9) DENIED WITHOUT PREJUDICE as to the eighth cause of action, as there were potential disputes over title; (10) GRANTED as to the ninth cause of action, as duplicative of the eighth cause of action; (11) GRANTED as to the tenth cause of action, as intent had not been shown under the applicable statutes and case law; (12) GRANTED as to the eleventh cause of action; while there was an assertion in the Answer, it was an inadvertent error, and the Plaintiff had failed to establish anything; (13) GRANTED as to twelfth cause of action, as Plaintiff had failed to show that he was induced into anything; (14) GRANTED as to the thirteenth cause of action, as Plaintiff had failed to meet the elements of the causes of action; (15) GRANTED as to the fourteenth cause of action, as fraud had not been pled with particularity as required under Rule 9 and NRS 112.180; (16) GRANTED as to the fifteenth cause of action, as there was no personal property at issue; (17)

DENIED WITHOUT PREJUDICE as to the sixteenth cause of action, as there was an question as to whether there was or was not a contract, and as to who did or did not have the property; (18) GRANTED as to the seventeenth cause of action, as there was no personal property, and it was duplicative of the fifteenth cause of action; (19) GRANTED as to the eighteenth cause of action, as the elements had not been met; (20) GRANTED as to the nineteenth cause of action, as an underlying tort had not been asserted; (21) GRANTED as to the twentieth cause of action, as duplicative of the sixteenth cause of action; (22) GRANTED as to the twenty-first cause of action, as it was a criminal cause of action; (23) GRANTED as to the twenty-second cause of action, as the Plaintiff had not asserted any writing, conditions, etc. under NRS 598.0923(5), at the time the Plaintiff alleged the property was sold to the Plaintiff; and (24) GRANTED as to the twenty-third cause of action, as it was duplicative of the eighteenth cause of action.

Counsel for the movant to prepare the written Order, and forward it to opposing counsel for approval as to form and content. Mr. Roberts advised that he would be filing a Motion to amend the Answer with respect to the error discussed earlier in the proceedings.

CLERK'S NOTE: Minute order prepared by Kristin Duncan via JAVS. (KD 4/7/21)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property	COURT MINUTES	March 18, 2021
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A-18-783375-C	Thomas Walker, Plaintiff(s) vs. Floyd Grimes, Defendant(s)
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March 18, 2021 10:15 AM Pre Trial Conference

HEARD BY: Kishner, Joanna S. **COURTROOM:** RJC Courtroom 12B

COURT CLERK:
Natalie Ortega

RECORDER: Sandra Harrell

REPORTER:

PARTIES

PRESENT:	Roberts, Kenneth M, ESQ	Attorney
	Walker, Thomas	Plaintiff
		Counter Defendant

JOURNAL ENTRIES

- Upon Court's inquiry, as to a trial May 3rd through May 7th at the Convention Center. Mr. Walker and Mr. Roberts noted that met their needs. COURT NOTED Department 27 would coordinate the scheduling of the Convention Center trial. Mr. Roberts anticipated four (4) days for trial with five (5) witnesses. Mr. Walker indicated he did not have any witnesses and planned to testify on his own behalf. COURT NOTED the trial would have six (6) witnesses and take five (5) or (6) days. Mr. Roberts advised he had less than 100 pages of exhibits. Mr. Walker indicated he had the same amount. COURT FURTHER NOTED it would send to the parties a memorandum with a link to submit exhibits. Upon Court's inquiry, Mr. Walker and Mr. Roberts acknowledged they understood they would need to schedule a Meet and Confer. COURT ORDERED, Calendar Call SET for April 20, 2021 at 9:00 a.m. At that Calendar Call exhibits and the Convention Center trial would be discussed. Further, Jury Selection would commence before April 29, 2021 at Jury Selection Services. Following that, a Jury Trial would follow around May 3rd at the Convention Center. Mr. Walker indicated possibly vacating the Writ of Restitution. Mr. Roberts noted the Defense would not stipulate. COURT

NOTED if there was an issue than they would need to file an appropriate motion.

04/20/21 9:00 AM CALENDAR CALL

05/03/21 JURY TRIAL (TENTATIVE) CONVENTION CENTER

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property	COURT MINUTES	April 20, 2021
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A-18-783375-C	Thomas Walker, Plaintiff(s) vs. Floyd Grimes, Defendant(s)
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April 20, 2021	9:00 AM	Calendar Call
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HEARD BY: Kishner, Joanna S. **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Kathryn Hansen-McDowell

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Roberts, Kenneth M, ESQ Walker, Thomas	Attorney Plaintiff Counter Defendant
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JOURNAL ENTRIES

- Court advised the trial could not go forward and would need to be reset. Colloquy regarding scheduling. Mr. Roberts noted defense was willing to have a bench trial. Mr. Walker stated he wanted a jury trial. Court stated a jury trial would be set. Further colloquy. COURT ORDERED, trial date reset for 6/1/2021. COURT NOTED, if parties have an issue they need to file a proper motion in order for the Court to hear. Court advised a new calendar call would be issued.

06/01/2021 JURY TRIAL (TENTATIVE CONVENTION CENTER)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property	COURT MINUTES	May 18, 2021
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A-18-783375-C	Thomas Walker, Plaintiff(s) vs. Floyd Grimes, Defendant(s)
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May 18, 2021	9:00 AM	Calendar Call
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HEARD BY: Kishner, Joanna S. **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Kathryn Hansen-McDowell

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Roberts, Kenneth M, ESQ Walker, Thomas	Attorney Plaintiff Counter Defendant
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JOURNAL ENTRIES

- Court noted it received the Pre Trial Memorandums and inquired if the Plaintiff wanted to use the memorandum dated 5/14/2021. Mr. Walker concurred. Mr. Walker stated Mr. Roberts was supposed to send him an email with the information they discussed at the 2.67 meeting however he has not received it. Mr. Roberts stated he thought it was sent. Upon Court's inquiry, Mr. Roberts advised he submitted his proposed exhibits to the court email address. Mr. Walker stated he had not seen Defendant's exhibits. Colloquy regarding Defendant's proposed exhibits. Mr. Walker reviewed Defendant's proposed exhibits. He stipulated to Defendant's exhibit A, B, C and D; as for proposed exhibit E, he requested additional time for review. Upon Court's inquiry, Mr. Walker stated he would submit his proposed exhibits to the DC evidence email. MATTER TRAILED.

MATTER RECALLED: all parties present as before. Mr. Walker stated he needed more time to submit his proposed exhibits. Colloquy regarding Plaintiff's proposed exhibits listed in the pretrial memorandum dated 5/14/2021. Court directed Mr. Walker to submit exhibits today and advising that it also needs his proposed jury instruction and he needed to exchange exhibits with Mr. Roberts.

Colloquy regarding trial procedures relating to Covid-19 restrictions, jury selection and peremptory challenges; parties agreed to 5 peremptory challenges each. Mr. Roberts advised they 3 witnessess appearing by video; Court directed him to file an out of state video appearance form for each person. Court CONFIRMED trial date was 6/1/2021 at 9:00 AM and ORDERED, matter CONTINUED.

CONTINUED TO: 05/20/2021 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property	COURT MINUTES	May 20, 2021
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A-18-783375-C	Thomas Walker, Plaintiff(s) vs. Floyd Grimes, Defendant(s)
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May 20, 2021	8:30 AM	Calendar Call
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HEARD BY: Kishner, Joanna S. **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Kathryn Hansen-McDowell

RECORDER: Victoria Boyd

REPORTER:

PARTIES

PRESENT:	Roberts, Kenneth M, ESQ Walker, Thomas	Attorney Plaintiff Counter Defendant
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JOURNAL ENTRIES

- Court noted this was the continuation of the calendar call. Colloquy regarding trial process. Colloquy regarding whereabouts of Plaintiff's proposed exhibits and jury questions. Mr. Walker stated they were being delivered. Further colloquy regarding the trial process. Court stated matter would need to be trailed in order for Court to continue with its calendar. MATTER TRAILED until 11:00 AM.

MATTER RECALLED at 11:43 AM: all parties present as before. Plaintiff's proposed exhibits and jury question packet not received. Colloquy regarding Court and Defendant's jury questions. Parties had no objection to Court's jury questions. Mr. Walker had no objection to Defendant's jury questions. Upon Court's noted concern, Mr. Roberts withdrew jury question #33. Colloquy regarding Defendant's proposed exhibit E. Mr. Walker stipulated to exhibit E. Colloquy regarding Plaintiff's proposed exhibits. Parties agreed and stipulated that Plaintiff's exhibit #1 and Defendant's exhibit D were the same document. Mr. Roberts stipulated to exhibit 6, Clark County Assessor Records. COURT NOTED, Plaintiff's proposed exhibits would have numbers 1-15 and Defendant's proposed

exhibits would be numbers 16-20. Further colloquy regarding Plaintiff's proposed exhibits of video transcripts. COURT ADMONISHED Plaintiff regarding not submitting exhibits timely, RESERVED its ruling on striking for failure to follow the Court's order and RESERVED all aspects with regards to the video transcripts. Mr. Walker orally requested to submit paper exhibits; Court GRANTED Mr. Walker's request and stated it would evaluate the submission.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property	COURT MINUTES	May 26, 2021
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A-18-783375-C	Thomas Walker, Plaintiff(s) vs. Floyd Grimes, Defendant(s)
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May 26, 2021	9:30 AM	Request of Court
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HEARD BY: Kishner, Joanna S. **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Kathryn Hansen-McDowell

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Grimes, Floyd Wayne	Defendant Counter Claimant Trustee
	Krawczyk, David E.	Attorney
	Roberts, Kenneth M, ESQ	Attorney
	Walker, Thomas	Plaintiff Counter Defendant

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY: COURT INSTRUCTED parties regarding jury selection and trial procedures. Court reviewed Plaintiff's voir dire questions and had concerns with #8, colloquy. Plaintiff withdrew question #8. Mr. Roberts had no objections.

IN THE PRESENCE OF THE PROSPECTIVE JURY: Roll Call. Clerk swore prospective jury panel. General Voir Dire conducted.

BENCH CONFERENCE

IN THE PRESENCE OF THE PROSPECTIVE JURY: Jury panel selected and sworn. COURT

ADMONISHED and EXCUSED the jury for the evening. COURT ORDERED, trial CONTINUED.

CONTINUED TO: 06/01/2021 9:00 AM (DEPT. 31)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property	COURT MINUTES	June 01, 2021
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A-18-783375-C	Thomas Walker, Plaintiff(s) vs. Floyd Grimes, Defendant(s)
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June 01, 2021 9:00 AM Jury Trial - FIRM

HEARD BY: Kishner, Joanna S. **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Kathryn Hansen-McDowell

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Arnone, Jalee Arnone, Peter Grimes, Floyd Wayne Halsey, Victoria Jean Krawczyk, David E. Roberts, Kenneth M, ESQ Walker, Thomas	Defendant Counter Claimant Defendant Defendant Counter Claimant Trustee Defendant Attorney Attorney Plaintiff Counter Defendant
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JOURNAL ENTRIES

- OUTSIDE PRESENCE OF THE JURY: Plaintiff, Mr. Walker, not present.

Court noted parties were instructed to be present at 8:30 AM this morning. Court further stated Mr. Walker had not provided notification to the department of his tardiness. Department staff advised Court an email was received at 8:33 AM stating Mr. Walker was on his way. Upon Court's inquiry, Mr. Roberts advised he received the same email. Mr. Roberts orally requested Court dismiss the

complaint and all remaining counts against the Defendants. COURT FINDS it appropriate upon Mr. Walker's arrival to place him on notice to defend his position. Colloquy concerning witnesses appearing on Bluejeans and their ability to view exhibits.

Plaintiff, Mr. Walker, present at 9:27 AM

Court ADMONISHED Plaintiff for being late and inquired as to the cause of his tardiness. Mr. Walker apologized and provided his cause. Arguments by Mr. Roberts and Mr. Walker regarding dismissing the complaint. COURT FINDS it appropriate to move forward as neither side would be prejudiced against and ORDERED, decision DEFERRED; ADVISED Plaintiff if the case continued he could have to pay for Defendant's attorney's fees. Mr. Walker understood and wanted to proceed. Previously stipulated exhibits admitted.

IN THE PRESENCE OF THE JURY: Roll call. Exclusionary Rule INVOKED. Opening statements by Mr. Walker and Mr. Roberts. Witness testimony. (See worksheets). Plaintiff rested.

OUTSIDE PRESENCE OF THE JURY: Mr. Walker orally requested a motion to stipulate he was a purchaser of the property. Colloquy regarding the motion. Mr. Roberts orally requested a Rule 50 directed verdict. Court allowed Plaintiff time to prepare a response in opposition of a directed verdict. Arguments by Mr. Walker and Mr. Krawczyk. COURT stated its FINDINGS and ORDERED, directed verdict GRANTED on the Slander of Title and Quantum Meruit Cause of Actions and DEFERRED decision on the Breach of Contract and Declaratory Relief Cause of Actions.

IN THE PRESENCE OF THE JURY: Witness testimony. (See worksheets). Defendant rested.

COURT ADMONISHED and EXCUSED the jury for the evening. COURT ORDERED, trial CONTINUED.

OUTSIDE THE PRESENCE OF THE JURY: Colloquy regarding jury instructions. COURT INSTRUCTED parties to met and confer regarding jury instructions and a joint verdict form.

CONTINUED TO: 06/02/2021 8:30 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property	COURT MINUTES	June 02, 2021
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A-18-783375-C	Thomas Walker, Plaintiff(s) vs. Floyd Grimes, Defendant(s)
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June 02, 2021	9:00 AM	Jury Trial - FIRM
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HEARD BY: Kishner, Joanna S.

COURTROOM: RJC Courtroom 12B

COURT CLERK: Kathryn Hansen-McDowell

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Arnone, Jalee Arnone, Peter Grimes, Floyd Wayne Halsey, Victoria Jean Krawczyk, David E. Roberts, Kenneth M, ESQ Walker, Thomas	Defendant Counter Claimant Defendant Defendant Counter Claimant Trustee Defendant Attorney Attorney Plaintiff Counter Defendant
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JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY: Colloquy regarding agreed upon jury instructions and verdict form. COURT FINDS, Mr. Walker in violation of NRCP 16.1(f) for being unprepared.

Following colloquy, Mr. Walker requested WBG Trust, Elizabeth Grimes, Jalee Arnone, Peter Arnone and Roes and Does be dismissed without prejudice from the complaint. Mr. Roberts stipulated to all dismissals. As for the counterclaimants, Mr. Roberts requested Roes and Does be dismissed with

prejudice. Mr. Walker stipulated. Mr. Walker orally requested to have Jalee Arnone remain as to declaratory relief. Mr. Roberts objected to the request. COURT stated its FINDINGS, and ORDERED, Jalee Arnone would remain as to declaratory relief and all other dismissals GRANTED.

Court noted the counterclaimants had 6 causes of action however only 2 were indicated in the jury form. Mr. Roberts stated as to the counterclaim breach of contract, breach of covenant and slander of title were abandoned for all purposes. Mr. Walker stipulated. COURT GRANTED.

Further colloquy regarding jury instructions, Mr. Walker requested opposed Plaintiff jury instruction P-29 be entered. Mr. Roberts argued in opposition. COURT GRANTED Mr. Walker's request.

IN THE PRESENCE OF THE JURY: Plaintiff rebuttal. Witness testimony. (See worksheets). Counterclaimants case started. Witness testimony. (See worksheets).

OUTSIDE PRESENCE OF THE JURY: Further colloquy regarding jury instructions. Mr. Walker orally requested motion for a finding of fact that he was a purchaser of the property. Argument by Mr. Walker. COURT DENIED Plaintiff's oral motion.

IN THE PRESENCE OF THE JURY: Witness testimony. (See worksheets). Counterclaimants rested.

OUTSIDE THE PRESENCE OF THE JURY: Jury instructions SETTLED. Colloquy regarding scheduling.

IN THE PRESENCE OF THE JURY: Court instructed the jury. Following bench conference, parties agreed to omit jury instruction #12.

COURT ADMONISHED and EXCUSED the jury for the evening. COURT ORDERED, trial CONTINUED.

OUTSIDE THE PRESENCE OF THE JURY: Mr. Roberts stated he would provide an updated page to omit jury instruction #12, to be added tomorrow morning. Colloquy regarding admitted exhibits. Parties agreed exhibit 1 and exhibit 19 were duplicative and exhibit 19 would be presented to the jury. Court stated exhibits 6, 16, 17, 18, 19 and 20 would go to the jury and RELEASED any unoffered exhibits to the parties after closing arguments.

COURT FINDS, dismissal was not appropriate as there was sufficient evidence to send to the matter to the jury and ORDERED, Defendant's Rule 50 motion denied. However, pursuant to EDCR 7.60 (a), NRCP 37 and 16.1(f) COURT FINDS a sanction was appropriate and FURTHER ORDERED, Plaintiff to pay an hour and a half of Defendant's attorney's fees for a total of \$375.00, payable within FOURTEEN (14) DAYS from today. Mr. Roberts to prepare an order, circulate to opposing party and submit to the department in box.

CONTINUED TO: 06/03/2021 9:15 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property	COURT MINUTES	June 03, 2021
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A-18-783375-C	Thomas Walker, Plaintiff(s) vs. Floyd Grimes, Defendant(s)
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June 03, 2021 9:00 AM Jury Trial - FIRM

HEARD BY: Kishner, Joanna S. **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Kathryn Hansen-McDowell

RECORDER: Lara Corcoran

REPORTER:

PARTIES

PRESENT:	Arnone, Jalee Arnone, Peter Grimes, Floyd Wayne Halsey, Victoria Jean Roberts, Kenneth M, ESQ Walker, Thomas	Defendant Counter Claimant Defendant Defendant Counter Claimant Trustee Defendant Attorney Plaintiff Counter Defendant
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JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY: Mr. Roberts advised Defendant Jalee Arnone was present in the courtroom. Colloquy regarding jury instruction #12; parties stipulate to delete jury instruction #12.

IN THE PRESENCE OF THE JURY: Closing statements by Mr. Walker and Mr. Roberts. Alternate juror #9 excused. Jury started deliberation at the hour of 10:23 a.m.

Verdict returned at the hour of 12:00 p.m. with the verdict in favor of the Counter Claimant.

The Court thanked and excused the Jury. Clerk returned Plaintiff's unoffered DVD exhibits to Mr. Walker.

EXHIBIT(S) LIST

Case No.: **A783375**

TRIAL Date:

JUNE 1, 2021

Dept. No.: **31**

Judge: **J. KISHNER**

Court Clerk: **KATHRYN HANSEN-MCDOWELL**

PLAINTIFF: **THOMAS WALKER**

RECORDER: **LARA CORCORAN**

Counsel for Plaintiff: **THOMAS WALKER, PRO SE**

vs.

DEFENDANT: **FLOYD GRIMES**

Counsel for Defendant: **KENNETH ROBERTS, ESQ.**

TRIAL BEFORE THE COURT

PLAINTIFF'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
1	Contract given to Plaintiff on 11/29/2012 (2 pages)	6/1/21	STUP	6/1/21 WA
2	Bankrate Statement amortized mortgage print out (9 pages)			
3	Plaintiff's Payment Receipts (17 pages)			
4	Summary Eviction Notices (7 pages)			
5	Las Vegas Justice Court Minutes from 12/14/2015 (2 pages)			
6	Clark County Assessor Records conveyance from Clark County Treasure to Defendant Grimes (6 pages)	6/1/21	STUP	6/1/21 WA
7	Clark County Assessor Records conveyance from Defendant Grimes to WBG Trust (2 pages)			
8	Clark County Assessor Records conveyance from WBG Trust to Co-Defendant Jalee Arnone (4 pages)			
9	Clark County Assessor's office for Residential History of Jalee Arnone (3 pages)			
10	Plaintiff's Notes (1page)			
11	Plaintiff's calculation of total paid as calculated with Plaintiff's receipts (2 pages)			
12	Receipts for Plaintiff's payment of property tax (1 page)			
13	Receipt for payment of North Las Vegas Water Utility (1 page)			
14	Letter to Plaintiff written by and mailed from Defendant Halsey (5 pages)			
15	Letter to Plaintiff written by and mailed from Defendant Halsey (3 pages) (3 rd page writing on the back page)			

EXHIBIT(S) LIST

Case No.: **A783375**

Trial Date

JUNE 1, 2021

Dept. No.: **31**

Judge: J. KISHNER

Court Clerk:

PLAINTIFF: THOMAS WALKER

Recorder: LARA CORCORAN

Counsel for Plaintiff: THOMAS WALKER, PRO SE

VS.

DEFENDANT: FLOYD GRIMES

Counsel for Defendant: KENNETH ROBERTS, ESQ.

TRIAL BEFORE THE COURT

DEFENDANT'S EXHIBITS

[illegible]

EXHIBIT(S) LIST

Case No.: **A783375**

TRIAL Date:

June 1, 2021

Dept. No.: **31**

Judge: J. Kishner

Court Clerk: Kathryn Hansen-McDowell

PLAINTIFF: THOMAS WALKER

Recorder: Lara Corcoran

Counsel for Plaintiff: THOMAS WALKER, PRO SE

vs.

DEFENDANT: FLOYD GRIMES

Counsel for Defendant: KENNETH ROBERTS, ESQ.

TRIAL BEFORE THE COURT

COURT'S EXHIBITS

[illegible]



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

THOMAS WALKER
6253 ROCKY MOUNTAIN AVE.
LAS VEGAS, NV 89156

DATE: July 26, 2021
CASE: A-18-783375-C

RE CASE: THOMAS WALKER vs. FLOYD WAYNE GRIMES; ELIZABETH GRIMES; WBG TRUST; VICTORIA
JEAN HALSEY; JALEE ARNONE; PETER ARNONE

NOTICE OF APPEAL FILED: July 22, 2021

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)**
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)**
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)**
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
 - *Previously paid Bonds are not transferable between appeals without an order of the District Court.*
- ☐ Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (g) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

***Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.*

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; JUDGMENT ON JURY VERDICT; JUDGMENT ON JURY VERDICT; NOTICE OF ENTRY OF JUDGMENT; ORDER GRANTING IN PART, AND DENYING IN PART, DEFENDANTS' MOTION FOR JUDGMENT ON THE PLEADINGS; NOTICE OF ENTRY OF ORDER; ORDER GRANTING DEFENDANTS' MOTION IN LIMINE; NOTICE OF ENTRY OF ORDER; ORDER ON DEFENDANT'S APPLICATION FOR A TEMPORARY WRIT OF RESTITUTION; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

THOMAS WALKER,

Plaintiff(s),

vs.

FLOYD WAYNE GRIMES; ELIZABETH GRIMES; WBG TRUST; VICTORIA JEAN HALSEY; JALEE ARNONE; PETER ARNONE,

Defendant(s),

Case No: A-18-783375-C

Dept No: XXXI

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 26 day of July 2021.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk