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STATE BAR OF NEVADA
NORTHERN NEVADA DISCIPLINARY BOARD
KARLON KIDDER, ESQ.
FORMAL HEARING
OBC21-0217
Friday, December 3, 2021, beginning at 9:00 a.m.
INDEX OF DOCUMENTS

Zoom Meeting Link: <https://nvbar.zoom.us/j/88673664849>

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PANEL

Barth Aaron, Esq., Chair
Nathan Aman, Esq.
Mike LaBadie, Layperson

R. Kait Flocchini
Assistant Bar Counsel
State Bar of Nevada

Karlon Kidder, Esq.
Respondent



FILED

SEP 02 2021

STATE BAR OF NEVADA
BY _____
OFFICE OF BAR COUNSEL

Case No: OBC21-0217

STATE BAR OF NEVADA

NORTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA,)
)
Complainant,)
vs.)
)
KARLON KIDDER, ESQ.,)
BAR NO. 11622)
)
Respondent.)

COMPLAINT

TO: Karlon Kidder, Esq.
620 N. Rock Blvd.
Sparks, Nevada 89431

PLEASE TAKE NOTICE that pursuant to Supreme Court Rule ("SCR") 105(2) a VERIFIED RESPONSE OR ANSWER to this Complaint must be filed with the Office of Bar Counsel, State Bar of Nevada, 9456 Double R Boulevard, Ste. B, Reno, Nevada, 89521, within twenty (20) days of service of this Complaint. Procedure regarding service is addressed in SCR 109.

Complainant, State Bar of Nevada ("State Bar"), by and through its Assistant Bar Counsel, R. Kait Flocchini, is informed and believes as follows:

1. Attorney Karlon Kidder, Esq. (“Respondent”), Bar No. 11622, is currently an active member of the State Bar of Nevada and at all times pertinent to this complaint had his principal place of business for the practice of law located in Washoe County, Nevada.

2. Deborah Zelinski initiated a probate matter in the Second Judicial District Court regarding her deceased friend Rhonda Mitchell (the “Mitchell probate matter”). Zelinski filed the initial documents, including a Petition for Letters of Administration, *in pro per*.

3. Zelinski used the services of document preparer “For the People” for the initial documents in the Mitchell probate matter. When she needed additional assistance, “For the People” referred her to Respondent.

4. On October 28, 2020 Zelinski appeared *in pro per* at a hearing on her Petition. The Court stated that the hearing had not been properly noticed, and therefore, continued it until December 1, 2020. The Court noted that the December 1 hearing must be properly noticed.

5. Respondent and Zelinski entered in a retainer agreement on or about October 29, 2020 for representation of Zelinski in the Mitchell probate matter.

6. Zelinski paid Respondent a total of \$2,000 which would be billed against at an hourly rate of \$300 per hour.

7. Respondent filed a Notice of Appearance in the probate matter on November 2, 2020.

8. Respondent failed to properly notice the December 1, 2020 hearing.

9. Ms. Mitchell’s daughters (the “Daughters”) also appeared at the December 1, 2020 hearing.

10. On December 1, 2020, the Daughters filed an Objection to Zelinski’s Petition and a Counterpetition.

11. On December 4, 2020 the Probate Commissioner issued a Recommendation that Zelinski's Petition be denied without prejudice and that the Counterpetition be denied because it did not set forth qualifications for the suggested appointment.

12. The December 4, 2020 Recommendation advised that any renewed Petition be filed and served no less than 5 days before it was submitted to the Court.

13. On December 30, 2020, the daughters filed a Petition to be appointed Special Administrators and sought to admit a 1998 Will that supported their request.

14. Respondent failed to file an objection to the Daughters' second Petition.

15. On January 6, 2021, the Daughters submitted their Petition.

16. On January 14, 2021, Respondent met with Zelinski to discuss (i) filing a specific petition to accomplish her goals in the probate matter (a "Heggstad Petition") and (ii) an opposition to the Daughters' second Petition.

17. On January 15, 2021, Respondent filed the Heggstad Petition.

18. On January 15, 2021 the Court entered an order granting the Daughters' petition and appointing them Co-Administrators of the estate.

19. On January 18, 2021, Respondent filed an Opposition to the Daughters' petition that was already granted.

20. On January 18, 2021, Zelinski was informed directly that the Court had appointed the Daughters as Co-Administrators.

21. Respondent met with Zelinski on January 19, 2021. Zelinski terminated the representation that same day.

22. Respondent provided Zelinski with a detailed invoice for work performed which indicated she should be refunded \$420 from the advance she paid on fees. Respondent

provided Zelinski with a check for \$420 and asked her to hold it for a few days so that he could transfer funds to pay the check.

23. On January 19, 2021, Respondent filed a Substitution of Counsel replacing himself with Zelinski *in pro per*.

24. Second Judicial District Court Rule 23 requires any attorney that has appeared in a matter to seek permission to withdraw from the representation, not simply file a document indicating the party will proceed *in pro per*.

25. The Court continued to communicate with Respondent on behalf of Zelinski because the proper Motion to Withdraw was not filed.

26. Zelinski retained new counsel, who then properly appeared in the Mitchell probate matter on January 26, 2021.

COUNT ONE- RPC 1.1 (Competence)

27. RPC 1.1 states “[a] lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.”

28. In light of the foregoing paragraphs 2 through 26, Respondent violated RPC 1.1 (Competence) when he failed to follow statutory requirements and the Court’s direction in the Mitchell probate matter.

COUNT TWO- RPC 1.3 (Diligence)

29. RPC 1.3 states “[a] lawyer shall act with reasonable diligence and promptness in representing a client.”

30. In light of the foregoing paragraphs 2 through 26, Respondent violated RPC 1.3 (Diligence) when he failed to (i) follow statutory requirements in the Mitchell probate matter

and (ii) timely notice the December 1 hearing and (iii) timely file an opposition to the Daughters' second Petition.

COUNT THREE- RPC 1.16 (Declining or Terminating Representation)

31. RPC 1.16 states, in relevant part:

(c) A lawyer must comply with applicable law requiring notice to or permission of a tribunal when terminating representation. When ordered to do so by a tribunal, a lawyer shall continue representation notwithstanding good cause for terminating the representation.

32. In light of the foregoing paragraphs 2 through 26, Respondent violated RPC 1.16 (Declining or Terminating Representation) when he failed to comply with WCDR 23 when terminating his representation of Zelinski.

WHEREFORE, Complainant prays as follows:

1. That a hearing be held pursuant to Nevada Supreme Court Rule 105;
2. That Respondent be assessed the costs of the disciplinary proceeding pursuant to SCR 120; and
3. That pursuant to SCR 102, such disciplinary action be taken by the Northern Nevada Disciplinary Board against Respondent as may be deemed appropriate under the circumstances.

Dated this 2nd day of September, 2021.

STATE BAR OF NEVADA
DANIEL M. HOOGE, Bar Counsel

By: 

R. Kait Flocchini, Assistant Bar Counsel
Nevada Bar No. 9861
9456 Double R Boulevard
Reno, Nevada 89521
(775) 329-4100



FILED

SEP 02 2021

STATE BAR OF NEVADA
BY [Signature]
OFFICE OF BAR COUNSEL

1 Case No: OBC21-0217

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8 **STATE BAR OF NEVADA**

9 **NORTHERN NEVADA DISCIPLINARY BOARD**

10
11 STATE BAR OF NEVADA,)
12)
13 Complainant,)
14 vs.)
15 KARLON J. KIDDER, ESQ.,)
16 BAR NO. 11622)
17 Respondent.)

18 **DESIGNATION OF**
19 **HEARING PANEL MEMBERS**

20 TO: Karlon J. Kidder, Esq.
21 The Kidder Law Group, Ltd.
22 620 N. Rock Blvd.
23 Sparks, NV 89431

24 The following are members of the Disciplinary Board for the Northern District of Nevada.
25 Pursuant to Nevada Supreme Court Rule (SCR) 105, you may issue peremptory challenge to five (5)
such individuals by delivering the same in writing to the Office of Bar Counsel within twenty (20)
days of service of the complaint.

The Chair of the Northern Nevada Disciplinary Board will thereafter designate a hearing panel
of three (3) members of the Disciplinary Board, including at least one member who is not an attorney,
to hear the above-captioned matter.

1. Eric Stovall, Esq., Chair
2. Kendra Bertschy, Esq., Vice-Chair
3. Barth Aaron, Esq.
4. Sarah Almo, Esq.
5. Nathan Aman, Esq.
6. Adam Cate, Esq.
7. Marilee Cate, Esq.
8. Travis Clark, Esq.
9. Lucas Foletta, Esq.
10. William Hanagami, Esq
11. Scott Hoffman, Esq
12. Caren Jenkins, Esq.
13. Asher Killian, Esq.
14. Katherine Lyon, Esq.
15. John Nolan, Esq.
16. Nicholas C. Pereos., Esq.
17. Amos Stege, Esq.
18. Michael Sullivan, Esq..
19. Jan T. Barker, Laymember
20. Steve Boucher, Laymember
21. Brian Duffrin, Laymember
22. Deveron Feher, Laymember
23. Lynda Goldman, Laymember
24. Michael LaBadie, Laymember
25. Timothy Meade, Laymember

26. Stephen Myerson, Laymember
27. Sadiq Patankar, Laymember
28. Richard Teichner, Laymember
29. Brook M. Westlake, Laymember

DATED this 2nd day of September 2021.

STATE BAR OF NEVADA
Daniel M. Hooge, Bar Counsel

By: 

R. Kait Flocchini, Assistant Bar Counsel
9456 Double R Blvd., Ste. B
Phone: (775) 329-4100



FILED

SEP 28 2021

STATE BAR OF NEVADA
BY *[Signature]*
OFFICE OF BAR COUNSEL

Case No.: OBC21-0217

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STATE BAR OF NEVADA
NORTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA,
Complainant,
vs.
KARLON KIDDER, ESQ.,
Respondent.

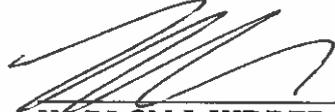
VERIFIED ANSWER

Respondent, KARLON J. KIDDER, ESQ. hereby answers the Complaint filed on September 2, 2021 and served on September 4, 2021, as follows:

1. Respondent admits the allegations contained in paragraphs 1, 2, 3, 5, 6, 7, 10, 11, 13, 15, 17, 18, 21, 23, 24, 26, 27, 29, and 31 of the complaint.
2. Respondent denies the allegations contained in paragraphs 8, 14, 16, 19, 20, 22, 25, 28, 30, and 32 of the Complaint.
3. Respondent is without sufficient knowledge to answer the allegations contained in paragraph 4, 9, and 12 of the Complaint.

WHEREFORE, Respondent prays that the complaint be denied, that the office of the Bar Counsel be responsible for all fees and costs associated with this matter, and for such other and further relief as is deemed appropriate by the Panel.

1 DATED this 20th day of September, 2021.

2 

3 KARLON J. KIDDER, ESQ.
4 State Bar No. 11622
5 620 N. Rock Blvd.
6 Sparks, NV 89431
7 (775) 359-1936
8 (775) 359-1992(f)
9 kjk@kidderlawgroup.com

10 **VERIFICATION**

11 STATE OF NEVADA)
12)ss:
13 COUNTY OF WASHOE)

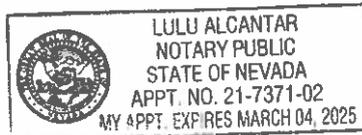
14 KARLON KIDDER, under penalties of perjury, being first duly sworn, deposes and
15 says: That he is the Respondent in the above-entitled action; that he has read the foregoing
16 ANSWER knows the contents thereof; that the same is true of his own knowledge, except for
17 those matters therein contained stated upon information and belief, and as to those matters, he
18 believes them to be true.

19 DATED this 21st day of September, 2021.

20 
21 KARLON J. KIDDER

22 SUBSCRIBED and SWORN to before
23 me this 21 day of September 2021.

24 
25 NOTARY PUBLIC





FILED

SEP 30 2021

STATE BAR OF NEVADA
BY [Signature]
OFFICE OF BAR COUNSEL

Case Number: OBC21-0217

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STATE BAR OF NEVADA
NORTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA,)
)
 Complainant,)
)
 vs.)
)
 KARLON KIDDER, ESQ.)
 NV BAR No. 11622)
 Respondent.)
)

ORDER APPOINTING
HEARING PANEL CHAIR

IT IS HEREBY ORDERED that the following member of the Northern Nevada
Disciplinary Board has been designated and as the Hearing Panel Chair.

- 1. Barth Aaron, Esq., Chair

DATED this 30 day of September, 2021.

STATE BAR OF NEVADA

By: [Signature]
Eric Stovall, Esq., Chair
Northern Nevada Disciplinary Board

CERTIFICATE OF SERVICE BY E-MAIL

The undersigned hereby certifies that a true and correct copy of the foregoing **Order**

Appointing Hearing Panel Chair was served electronically upon:

1. Karlon Kidder, Esq. – kjk@kidderlawgroup.com
2. Kait Flocchini, Esq. – kaitf@nvbar.org
3. Barth Aaron, Esq. - aaronesq@sbcglobal.net

Dated this 30th day of September 2021.

Laura Peters
By: _____
Laura Peters, an employee of
the State Bar of Nevada



FILED

OCT 18 2021

STATE BAR OF NEVADA
BY [Signature]
OFFICE OF BAR COUNSEL

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Case No.: OBC21-0217

**STATE BAR OF NEVADA
NORTHERN NEVADA DISCIPLINARY BOARD**

STATE BAR OF NEVADA,

Complainant,

vs.
KARLON KIDDER, ESQ.
NV BAR No. 11622
Respondent.

**ORDER APPOINTING
FORMAL HEARING PANEL**

IT IS HEREBY ORDERED that the following members of the Northern Nevada Disciplinary Board have been designated as members of the formal hearing panel in the above-entitled action. The hearing will be convened on the 3rd day of December, 2021 starting at 9:00 a.m. via Zoom video conferencing.

- 1. Barth Aaron, Esq., Chair;
- 2. Nathan Aman, Esq.
- 3. Mike LaBadie, Laymember

DATED this 15th day of October, 2021.

STATE BAR OF NEVADA

By: [Signature]
Eric A. Stovall, Esq., Chair
Northern Nevada Disciplinary Board

NORTH Hearing Pnl Ord_Kidder

Final Audit Report

2021-10-15

Created:	2021-10-15
By:	Cathi Britz (cathib@nvbar.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAs0W8LIC8sgWErEuVJYZ3S1Zjfs2vyhye

"NORTH Hearing Pnl Ord_Kidder" History

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-  Document emailed to Eric A. Stovall (eric@ericstovalllaw.com) for signature
2021-10-15 - 7:20:42 PM GMT
-  Email viewed by Eric A. Stovall (eric@ericstovalllaw.com)
2021-10-15 - 8:26:13 PM GMT- IP address: 76.209.6.196
-  Document e-signed by Eric A. Stovall (eric@ericstovalllaw.com)
Signature Date: 2021-10-15 - 8:26:54 PM GMT - Time Source: server- IP address: 76.209.6.196
-  Agreement completed.
2021-10-15 - 8:26:54 PM GMT

CERTIFICATE OF SERVICE BY E-MAIL

The undersigned hereby certifies that a true and correct copy of the foregoing **Order**

Appointing Formal Hearing Panel Panel was served electronically upon:

1. Karlon Kidder, Esq. – kjk@kidderlawgroup.com
2. Kait Flocchini, Esq. – kaitf@nvbar.org
3. Barth Aaron, Esq. - aaronesq@sbcglobal.net
4. Nathan Aman, Esq. - naman@renonvlaw.com
5. Michael LaBadie - mlab12770@gmail.com

Dated this 18th day of October 2021.

By: *Laura Peters*
Laura Peters, an employee of
the State Bar of Nevada



FILED

NOV 02 2021

STATE BAR OF NEVADA
BY [Signature]
OFFICE OF BAR COUNSEL

1 Case No: OBC21-0217

2
3 STATE BAR OF NEVADA

4 NORTHERN NEVADA DISCIPLINARY BOARD

5 STATE BAR OF NEVADA,)
6 Complainant,)
7 vs.)
8 KARLON KIDDER, ESQ.,)
9 BAR NO. 11622)
Respondent.)

NOTICE OF HEARING

10 TO: Karlon Kidder, Esq.
11 620 N. Rock Blvd.
12 Sparks, NV 89431

13 PLEASE TAKE NOTICE that the formal hearing in the above-entitled action has
14 been scheduled for **Friday, December 3, 2021, beginning at the hour of 9:00**
15 **a.m.** The hearing will be conducted via Zoom (meeting # 88673664849). You are
16 entitled to be represented by counsel, to cross-examine witnesses, and to present
17 evidence.

DATED this 2nd day of November 2021.

18 STATE BAR OF NEVADA
19 DANIEL M. HOOGE, Bar Counsel

20
21 By: Kait Flocchini
22 R. Kait Flocchini, Assistant Bar Counsel
23 Nevada Bar No. 9861
24 9456 Double R Boulevard
25 Reno, Nevada 89521
(775) 329-4100



NOV 02 2021

STATE BAR OF NEVADA
BY [Signature]
OFFICE OF BAR COUNSEL

Case No: OBC21-0289, OBC21-0353

STATE BAR OF NEVADA
NORTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA,)
)
Complainant,)
vs.)
)
KARLON KIDDER, ESQ.,)
BAR NO. 11622)
)
Respondent.)

STATE BAR OF NEVADA'S
FINAL DISCLOSURES

PLEASE TAKE NOTICE that the following is a list of witnesses and a summary of evidence which may be offered against Respondent at the time of the Formal Hearing, in the above-entitled complaint.

A. Documentary Evidence

1. Any and all documentation contained in the State Bar of Nevada's Initial Disclosure of Documents and Witnesses and filed October 21, 2021 (SBN 1-214) and Respondent's Initial Disclosures filed November 1, 2021 (000001-000032).

B. Witnesses and Brief Statement of Facts

1. Respondent Karlon Kidder, Esq. may offer testimony about his retention and subsequent termination by grievant Deborah Zelinski.

2. Grievant Deborah Zelinski may offer testimony about her retention of, and communication with, Respondent. Ms. Zelinski's contact information is:

Deborah Zelinski
6826 Quantum Ct.
Sparks, NV 89436
775-737-3897

2021.11.02.Notice of Hearing final disclosures

Final Audit Report

2021-11-02

Created:	2021-11-02
By:	Laura Peters (laurap@nvbar.org)
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2021-11-02 - 5:59:28 PM GMT



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NOV 02 2021

STATE BAR OF NEVADA
BY _____
OFFICE OF BAR COUNSEL

1 Case No.: OBC21-0217

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5 STATE BAR OF NEVADA

6 NORTHERN NEVADA DISCIPLINARY BOARD

7 STATE BAR OF NEVADA,)
8)
9 Complainant,)
10 vs.)
11 KARLON KIDDER, ESQ.,)
12 NEVADA BAR NO. 11622)
13 Respondent.)

Scheduling Order

14 Pursuant to Rule 17 of the Disciplinary Rules of Procedure (“DRP”), on Thursday, October
15 14, 2021, at 10:00 a.m., Barth Aaron, Esq., the Formal Hearing Panel Chair, met telephonically with
16 R. Kait Flocchini, Esq., Assistant Bar Counsel, on behalf of the State Bar of Nevada, and Respondent
17 Karlon Kidder, Esq. (“Respondent”) to conduct the Initial Conference in this matter.

18 During the Case Conference the parties discussed disclosures, discovery issues, the potential
19 for resolution of this matter prior to the hearing, a status conference, and the hearing date.

20 The parties agreed to the following:

- 21 1. The parties consent to service by electronic means of all documents pursuant to SCR
22 109(2), NRCPC 5, and DRP 11(b)(3).
23 2. The parties stipulate that venue is proper in Washoe County, Nevada.
24 3. The Formal Hearing for this matter is hereby set for **one (1) day starting at 9:00**
25 **a.m. on Friday, December 3, 2021**, and shall take place via simultaneous audio/visual transmission

1 (i.e. Zoom) or at the State Bar Office located at 9456 Double R. Blvd, Suite B, Reno, Nevada 89521
2 depending on the COVID-19 precautions in place on that date.

3 4. On or before **October 21, 2021**, the State Bar of Nevada's initial disclosures shall be
4 served on all parties. The documents provided by the State Bar shall be bates stamped. *See* DRP
5 17 (a).

6 5. On or before **October 29, 2021**, Respondent's initial disclosures shall be served on
7 all parties. The documents provided by the Respondent shall be bates stamped. *See* DRP 17 (a).

8 6. At or before 5:00 p.m. on **October 29, 2021**, the parties shall file and serve any
9 Motions. The parties recognize that October 29, 2021 is a State holiday and that documents
10 electronically served on that date are timely although they may be file-stamped on November 1,
11 2021, which is the next business day.

12 7. At or before 5:00 p.m. on **November 8, 2021**, all oppositions to the Motions, if any,
13 shall be filed and served on the parties.

14 8. At or before 5:00 p.m. on **November 12, 2021**, all replies in support of filed
15 Motions shall be filed and served on the parties.

16 9. On or before **November 12, 2021**, the parties shall serve a Final Designation of
17 witnesses expected to testify and marked exhibits expected to be presented at the Formal Hearing in
18 this matter, pursuant to SCR 105(2)(d), DRP 17(a) and DRP 21. The State Bar's exhibits shall be
19 marked numerically and Respondent's exhibits shall be marked alphabetically.

20 10. On **November 15, 2021, at 1:00 p.m.**, the parties shall meet via simultaneous
21 audio/visual transmission (i.e. Zoom) with Chair Aaron for the Pre-hearing Conference.

22 Pursuant to DRP 23, at the Pre-hearing conference (i) the parties shall discuss all matters
23 needing attention prior to the hearing date, (ii) the Chair may rule on any motions or disputes
24 including motions to exclude evidence, witnesses, or other pretrial evidentiary matter, and (iii) the
25

1 parties shall discuss and determine stipulated exhibits proffered by either the State Bar or
2 Respondent as well as a stipulated statement of facts, if any.

3 **11.** The parties stipulate to waive SCR 105(2)(d) to allow for the formal appointment of
4 the remaining hearing panel members on a date that is greater than 45 days prior to the scheduled
5 hearing.

6 Based on the parties' verbal agreement to the foregoing during the telephonic Initial
7 Conference and good cause appearing, **IT IS SO ORDERED.**

8 Dated this Nov 2, 2021 day of ~~October~~, 2021.

9 NORTHERN NEVADA DISCIPLINARY BOARD

10
11 By: Barth Aaron
12 Barth Aaron, Esq.
13 *Hearing Panel Chair*
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proposed scheduling order

Final Audit Report

2021-11-02

Created:	2021-11-02
By:	Laura Peters (laurap@nvbar.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAxZhsbELTWYX3-vFA20nvAvOMbbeVjn0m

"proposed scheduling order" History

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NOV 05 2021

STATE BAR OF NEVADA
BY [Signature]
OFFICE OF BAR COUNSEL

1 Case No.: OBC21-0217

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5 STATE BAR OF NEVADA

6 NORTHERN NEVADA DISCIPLINARY BOARD

7 STATE BAR OF NEVADA,)
8)
9 Complainant,)
10 vs.)
11 KARLON KIDDER, ESQ.,)
12 NEVADA BAR NO. 11622)
13 Respondent.)

Amended Scheduling Order

14 Pursuant to the parties agreement the Scheduling Order in this matter is amended as follows:

15 1. The parties consent to service by electronic means of all documents pursuant to SCR
16 109(2), NRCP 5, and DRP 11(b)(3).

17 2. The parties stipulate that venue is proper in Washoe County, Nevada.

18 3. The Formal Hearing for this matter is hereby set for **one (1) day starting at 9:00**
19 **a.m. on Friday, December 3, 2021**, and shall take place via simultaneous audio/visual transmission
20 (i.e. Zoom) or at the State Bar Office located at 9456 Double R. Blvd, Suite B, Reno, Nevada 89521
21 depending on the COVID-19 precautions in place on that date.

22 4. On or before **October 21, 2021**, the State Bar of Nevada's initial disclosures shall be
23 served on all parties. The documents provided by the State Bar shall be bates stamped. *See* DRP
24 17 (a).

25 5. On or before **October 29, 2021**, Respondent's initial disclosures shall be served on
all parties. The documents provided by the Respondent shall be bates stamped. *See* DRP 17 (a).

1 **6.** At or before 5:00 p.m. on **October 29, 2021**, the parties shall file and serve any
2 Motions. The parties recognize that October 29, 2021 is a State holiday and that documents
3 electronically served on that date are timely although they may be file-stamped on November 1,
4 2021, which is the next business day.

5 **7.** At or before 5:00 p.m. on **November 8, 2021**, all oppositions to the Motions, if any,
6 shall be filed and served on the parties.

7 **8.** At or before 5:00 p.m. on **November 12, 2021**, all replies in support of filed
8 Motions shall be filed and served on the parties.

9 **9.** On or before **November 12, 2021**, the parties shall serve a Final Designation of
10 witnesses expected to testify and marked exhibits expected to be presented at the Formal Hearing in
11 this matter, pursuant to SCR 105(2)(d), DRP 17(a) and DRP 21. The State Bar's exhibits shall be
12 marked numerically and Respondent's exhibits shall be marked alphabetically.

13 **10.** At or before 5:00 pm on **November 17, 2021**, the parties shall file and serve any and
14 all objections to marked exhibits and designated witnesses expected to be presented at the Formal
15 Hearing.

16 **11.** On **November 18, 2021, at 10:00 a.m.**, the parties shall meet via simultaneous
17 audio/visual transmission (i.e. Zoom) with Chair Aaron for the Pre-hearing Conference.

18 Pursuant to DRP 23, at the Pre-hearing conference (i) the parties shall discuss all matters
19 needing attention prior to the hearing date, (ii) the Chair may rule on any motions or disputes
20 including motions to exclude evidence, witnesses, or other pretrial evidentiary matter, and (iii) the
21 parties shall discuss and determine stipulated exhibits proffered by either the State Bar or
22 Respondent as well as a stipulated statement of facts, if any.

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12. The parties stipulate to waive SCR 105(2)(d) to allow for the formal appointment of the remaining hearing panel members on a date that is greater than 45 days prior to the scheduled hearing.

Based on the parties' agreement and good cause appearing, **IT IS SO ORDERED.**

Dated this 5th day of November, 2021.

NORTHERN NEVADA DISCIPLINARY BOARD



By: _____
Barth Aaron, Esq.
Hearing Panel Chair

SBN v. Kidder: proposed amended scheduling order

Final Audit Report

2021-11-05

Created:	2021-11-04
By:	Kait Flocchini (Kaitf@nvbar.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAGmq-7NH44ehPBlas5zHoQUJXTGR-5m3q

"SBN v. Kidder: proposed amended scheduling order" History

-  Document created by Kait Flocchini (Kaitf@nvbar.org)
2021-11-04 - 10:51:07 PM GMT- IP address: 71.83.120.174
-  Document emailed to Barth F. Aaron (aaronesq@sbcglobal.net) for signature
2021-11-04 - 10:51:37 PM GMT
-  Email viewed by Barth F. Aaron (aaronesq@sbcglobal.net)
2021-11-04 - 11:40:40 PM GMT- IP address: 104.9.19.180
-  Document e-signed by Barth F. Aaron (aaronesq@sbcglobal.net)
Signature Date: 2021-11-05 - 3:01:32 AM GMT - Time Source: server- IP address: 104.9.19.180
-  Agreement completed.
2021-11-05 - 3:01:32 AM GMT

CERTIFICATE OF SERVICE BY E-MAIL

The undersigned hereby certifies that a true and correct copy of the foregoing **Amended**

Scheduling Order was served electronically upon:

1. Karlon Kidder, Esq. – kjk@kidderlawgroup.com
2. Kait Flocchini, Esq. – kaitf@nvbar.org
3. Barth Aaron, Esq. - aaronesq@sbcglobal.net

Dated this 5th day of November 2021.

Laura Peters
By: _____
Laura Peters, an employee of
the State Bar of Nevada



FILED

NOV 30 2021

STATE BAR OF NEVADA
BY [Signature]
OFFICE OF BAR COUNSEL

1 Case Nos.: OBC21-0217

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STATE BAR OF NEVADA

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NORTHERN NEVADA DISCIPLINARY BOARD

9

STATE BAR OF NEVADA,)

10

Complainant,)

vs.)

11

KARLON KIDDER, ESQ.,)

12

BAR NO. 11622)

13

Respondent.)

14

Pursuant to Rule 23 of the Disciplinary Rules of Procedure, the Hearing Panel Chair Barth Aaron, Esq., met via simultaneous audio/visual transmission (Zoom) with R. Kait Flocchini, Esq., Assistant Bar Counsel, on behalf of the State Bar of Nevada, and Karlon Kidder, Esq., ("Respondent"), on November 18, 2021 at 10:00 a.m. to conduct the Pre-hearing Conference in this matter. The admission of Exhibits, objections thereto, potential witnesses, and the location of the Formal Hearing were discussed.

21

DETAILS OF PRE-HEARING CONFERENCE

22

Based on oral representations, stipulations, and arguments made during the Pre-hearing conference, the following was decided:

24

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1. Respondent's Objection to Witnesses and Exhibits, served on November 17, 2021 and the State Bar's response thereto shall be addressed on the record at the Formal Hearing.
2. The State Bar's Exhibits 1-15 and 17 are admitted by stipulation of the parties.
3. The State Bar withdraws Exhibit 16 because it is duplicative of Respondent's admitted exhibits.
4. Respondent's Exhibits C, D, G, H, J, K, are admitted by stipulation of the parties.
5. The State Bar's objection to Respondent's Exhibit B is overruled because the document is potentially useful for impeachment. Exhibit B may be distributed to the Panel prior to the hearing.
6. The State Bar's objection to Respondent's Exhibit L and Exhibit M is overruled because the documents are items to which judicial notice is proper. Exhibit L and Exhibit M may be distributed to the Panel prior to the hearing.
7. Respondent withdraws Exhibits A, E, F, and I.
8. State Bar's Exhibits 1-15 and 17 and Respondent's Exhibits B, C, D, G, H, J, K, L and M and may be distributed to the Panel prior to the hearing.
9. Respondent does not plan to call any witnesses.
10. The Parties stipulated that (i) Respondent filed an Petition on behalf of Ms. Zelinski on January 15, 2021 and Ms. Zelinski retained new counsel no later than January 26, 2021.
11. The Formal Hearing in this matter will proceed via simultaneous audio/visual transmission, i.e. Zoom platform, because Governor's Emergency Orders requiring all persons to be masked when indoors renders an in-person hearing less functional for (i) a

court reporter's ability to transcribe the proceeding and (ii) the Panel's assessment of any witness's demeanor.

Good cause appearing, IT IS SO ORDERED.

Dated this 29th day of November, 2021.

NORTHERN NEVADA DISCIPLINARY BOARD

By: Barth Aaron

Barth Aaron, Esq.
Hearing Panel Chair

CERTIFICATE OF SERVICE BY E-MAIL

The undersigned hereby certifies that a true and correct copy of the foregoing **Order After**

Pre-Hearing Conference was served electronically upon:

1. Karlon Kidder, Esq. – kjk@kidderlawgroup.com
2. Kait Flocchini, Esq. – kaitf@nvbar.org
3. Barth Aaron, Esq. - aaronesq@sbcglobal.net

Dated this 30th day of November 2021.

Laura Peters

By: _____
Laura Peters, an employee of
the State Bar of Nevada

DECLARATION OF LAURA PETERS
CUSTODIAN OF RECORDS

LAURA PETERS, under penalty of perjury, being first duly sworn, deposes and says as follows:

That Declarant is employed as a paralegal for the discipline department of the State Bar of Nevada and in such capacity is the custodian of records for the State Bar of Nevada;

That Declarant has reviewed the State Bar of Nevada membership records regarding Respondent Karlon Kidder, Esq., Nevada Bar No. 11622, and has verified that he was admitted to practice law in the State of Nevada on May 5, 2010. Respondent was ordered to serve a one-year suspension with nine months stayed on January 7, 2016. The Order is attached hereto.

Dated this 12th day of November 2021.

Laura Peters

Laura Peters, Paralegal
Office of Bar Counsel

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
KARLON KIDDER, BAR NO. 11622.

No. 68964

FILED

JAN 07 2016

TRACIE K. HUNTER
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER APPROVING CONDITIONAL GUILTY PLEA AGREEMENT

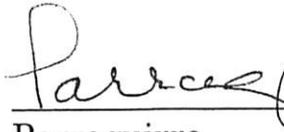
This is an automatic review of a Northern Nevada Disciplinary Board hearing panel's recommendation that this court approve, pursuant to SCR 113, a conditional guilty plea agreement in exchange for a stated form of discipline for attorney Karlon Kidder. Under the agreement, Kidder admitted to violations of RPC 1.5 (fees), RPC 1.7 (conflict of interest: current clients), RPC 3.3 (candor toward the tribunal), RPC 3.4 (fairness to opposing party and counsel), RPC 5.3 (responsibilities regarding nonlawyer assistants), RPC 5.5 (unauthorized practice of law), and RPC 8.4 (misconduct).

The agreement provides for a one-year suspension with the last nine months stayed, subject to the following conditions: (1) Kidder shall execute and comply with the mentoring agreement, which shall be in effect for two years; and (2) he shall not make any appearance in any federal court for six months after approval of the suspension by the Nevada Supreme Court. Further, Kidder shall pay \$750 to the State Bar for the costs of the disciplinary proceeding.

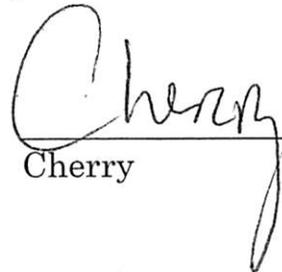
Based on our review of the record, we conclude that the guilty plea agreement should be approved. *See* SCR 113(1). We hereby impose a one-year suspension with the last nine months of the suspension stayed.

Additionally, Kidder must comply with all of the conditions in the plea agreement, as outlined above. Kidder and the State Bar shall comply with the applicable provisions of SCR 121.1 and SCR 115 and 116, if necessary.

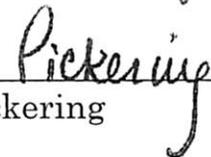
It is so ORDERED.


_____, C.J.
Parraguirre


_____, J.
Hardesty

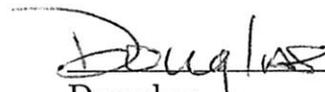

_____, J.
Cherry


_____, J.
Gibbons


_____, J.
Pickering

DOUGLAS and SAIITA, JJ., dissenting:

We would reject the conditional guilty plea agreement because the agreed-upon discipline is not sufficient.


_____, J.
Douglas


_____, J.
Saitta

cc: Chair, Northern Nevada Disciplinary Panel
C. Stanley Hunterton, Bar Counsel, State Bar of Nevada
The Kidder Law Group, Ltd.
Kimberly K. Farmer, Executive Director, State Bar of Nevada
Perry Thompson, Admissions Office, United States Supreme Court

Exhibit 3

Exhibit 3

1 **3555**
2 DEBORAH ZELINSKI
3 6826 Quantam Court
4 Sparks, NV 89436
5 (775) 737-3897
6 *In Proper Person*

7 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
8 IN AND FOR THE COUNTY OF WASHOE

9 In the Matter of the Estate of Case No. _____
10 RHONDA LOUISE MITCHELL Dept. No. PR
11 Deceased.
12 _____/

13 **PETITION FOR LETTERS OF ADMINISTRATION**

14 DEBORAH ZELINSKI, Petitioner, appearing In Proper Person, respectfully petitions
15 the Court for an Order of Administration in the Estate of RHONDA LOUISE MITCHELL,
16 Deceased, and shows as follows:

17 1. RHONDA LOUISE MITCHELL died on the 30th day of May, 2020, in the City of
18 Sparks, County of Washoe, State of Nevada, being a resident of the City of Sparks,
19 County of Washoe and State of Nevada. A certified copy of the Certificate of Death is
20 attached hereto as Exhibit "1" and incorporated herein by this reference.

21 2. The Decedent left an estate in the County of Washoe, State of Nevada, and the
22 character and nature of the property of his estate consists of personal property, and real
23 property, the same being the sole and separate property of the Decedent, valued at an
24 amount exceeding \$200,000.00. A specific description of all of Decedent's property
25 located in the State of Nevada is as follows:

26 Real property located at 2130 Frisco Way, Sparks, NV 89434 further described in Exhibit
27 3 with an estimated value of \$340,000.00; and an insurance policy with an unknown value.

28 See Exhibits 4-5.

1 3. There were several outstanding debts of the estate including final medical bills
2 for Renown and Northern Nevada Medical Group.

3 4. The decedent died testate, with a will dated December 3, 2012, a copy of which
4 is attached as Exhibit 2. The petitioner herein is nominated as the executrix of the will. The
5 decedent also had a trust, which the Petitioner is nominated as the successor Trustee.

6 5. The Petitioner herein is a friend of the decedent and is named as the executrix
7 under the will and as the successor trustee of the decedent's trust. Petitioner has never
8 been convicted of a felony, and by this Petition, is competent and capable of administering
9 said Estate, and consents to acting as administrator thereof.

10 6. The names, ages, and residences of the heirs, next of kin, legatees, and
11 devisees of Decedent, so far as are known to Petitioner are:

12 DEBORAH ZELINSKI, age 64, 6826 Quantam Court, Sparks, NV 89436, who is the
13 Decedent's named beneficiary under the will.

14 SHAWNAN BELL, age 52, 1014 Fox Hollow Trail, Canton, GA 30113, who is the
15 Decedent's daughter.

16 JENNIFER BARCO, age 47, 280 Fallen Leaf Lane, Fernley, NV 89408, who is the
17 Decedent's daughter.

18 7. The character and nature of the property of the Estate is personal property and
19 real property, the same being the sole and separate property of the Decedent.

20 The estimated value of the property of the Estate of Decedent at the time of his
21 death exceeds TWO HUNDRED THOUSAND (\$200,000.00) DOLLARS and a complete
22 list and inventory of said assets will be filed with the Court.

23 8. Pursuant to NRS 139, since the value of the Estate exceeds TWO HUNDRED
24 THOUSAND (\$200,000.00) DOLLARS, the same should be administered under general
25 Administration; and pursuant to NRS 139.

26 WHEREFORE, Petitioner prays as follows:
27
28

1 1. That, if the Court finds that the total value of said Estate exceeds the sum of
2 TWO HUNDRED THOUSAND (\$200,000.00) DOLLARS, the said Estate may be
3 administered under general Administration.

4 2. That the court find that Petitioner is qualified to be issued letters of
5 administration.

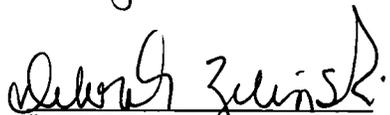
6 3. For such other and further relief as the Court may deem proper in the premises.

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AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned hereby affirms that this document does not contain the social security number of any person.

DATED this 26 day of Aug, 2020.

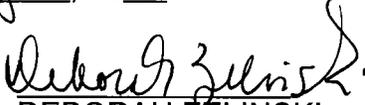

DEBORAH ZELINSKI
6826 Quantam Court
Sparks, NV 89436
(775) 737-3897
Petitioner appearing In Proper Person

1 STATE OF NEVADA)
2 COUNTY OF WASHOE) ss.

3 DEBORAH ZELINSKI, under penalties of perjury, being first duly sworn, deposes
and says:

4 I am the Petitioner in the foregoing entitled action; that I have read the foregoing
5 PETITION FOR LETTERS OF ADMINISTRATION, and know the contents thereof; that the
6 same is true of my own knowledge, except for those matters therein contained stated upon
information and belief, and as to those matters, I believe them to be true.

7 DATED this 26 day of Aug, 2020.

8 
9 DEBORAH ZELINSKI
Petitioner

10 SUBSCRIBED AND SWORN to before me
11 this 26 day of Aug, 2020.

12  R. FRITZ
13 Notary Public - State of Nevada
14 Appointment Recorded in Washoe County
No: 07-2165-2 - Expires March 15, 2023

15 
16 Notary Public

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EXH. #	DESCRIPTION	# PAGES
1	Death Certificate	1
2	WILL AND TRUST	47
3	DEED ON PROPERTY	2
4	CERTIFICATE OF TITLE 2013 SUBARU FORESTER	1
5	REVERSE MORTGAGE INFORMATION	2
6	CREDIT CARD BILLS	2
7	MEDICAL BILLS	13

Return Of NEF

Recipients

DEBORAH - Notification received on 2020-09-16 12:44:13.781.
ZELINSKI

Exhibit 4

Exhibit 4

1 **1360**
2 DEBORAH ZELINSKI
3 6826 Quantam Court
4 Sparks, NV 89436
5 (775) 737-3897
6 *In Proper Person*

7 SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
8 IN AND FOR THE COUNTY OF WASHOE

9 In the Matter of the Estate of

Case No. PR20-00518

10 RHONDA LOUISE MITCHELL

Dept. No. PR

11 Deceased.
12 _____/

13 **CERTIFICATE OF MAILING**

14 I hereby certify that service of the Notice of Hearing on Petition for LETTERS OF
15 ADMINISTRATION, and the PETITION FOR LETTERS OF ADMINISTRATION, along with
16 it's exhibits, was made this 18 day of Sept, 2020,
17 by depositing a copy of the same in the U.S. Mail, postage prepaid, certified, return receipt
18 requested, addressed to:

19 1. Nevada Department of Human Resources, Welfare Division, 1470 East College
20 Parkway, Carson City, Nevada 89706.

21 2. Medicaid Estate Recovery, 1000 E. William Street, Suite 109, Carson City,
22 Nevada 89701.

23 3. SHAWNAN BELL, 1014 Fox Hollow Trail, Canton, GA 30113.

24 4. JENNIFER BARCO, 280 Fallen Leaf Lane, Fernley, NV 89408.
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AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned hereby affirms that this document does not contain the social security number of any person.

DATED this 26 day of August, 2020.



DEBORAH ZELINSKI
6826 Quantam Court
Sparks, NV 89436
(775) 737-3897
In Proper Person

Exhibit 5

Exhibit 5

The Kidder Law Group
Karlton J. Kidder, Esq.

620 N. Rock Blvd
Sparks, NV 89431
Telephone: 775-359-1936
Fax: 775-359-1992

HOURLY ENGAGEMENT AGREEMENT

This agreement will confirm that **Karlton J. Kidder, Esq. of the The Kidder Law Group** (the "Law Offices") have been engaged to represent **DEBBIE ZELINSKI** ("Client/s") on the terms described in this agreement.

Scope of Engagement

Karlton J. Kidder, Esq. of the above named Law Offices (Law Offices), are engaged to provide legal services on the following matter (the "Matter"):

REPRESENTATION IN PROBATE CASE IN WASHOE COUNTY

Hourly Fees

Hourly Fees for Karlton Kidder are \$300.00/hour and \$100.00/hour for support staff.

Expenses

The Law Office's bills to the Client will include charges for various expenses incurred on the Client's behalf. Expenses are incurred through invoices from a third party (such as service of process). Typical expense items include, but are not limited to: courier or messenger services, travel expenses, depositions, transcripts, witness fees, process fees, title insurance and filing and recordation fees.

Expenses will be passed through to the Client at actual cost. Whenever practical, the Law Offices will not commit to a major expense or cost time without first discussing it with the Client.

Billing

All checks made out to: **THE KIDDER LAW GROUP**

Retainer

Karlton J. Kidder, Esq. of the Law Offices will require a retainer in the amount of \$1000.00

*****paid by check 10/29/2020**

fee does not include any direct expenses such as appraisal fees

REFUNDS: This is an hourly fee agreement, as such all payments that are unearned will be refunded to the client.

TOTAL EXPECTED FEES=\$1000.00-\$5000.00

General Responsibilities

The Client shall cooperate fully and candidly with the Law Offices with respect to the Matter. The Client shall provide all information known by or available to the Client which may aid the Law Offices in representing the Client in the Matter.

The Client shall designate one or more of its personnel to be primarily responsible for coordinating the Law Office's representation with respect to the Matter. The Client shall be available to the Law Offices for consultation on reasonable notice and will provide such decisions or directions as the Law Offices may need for the appropriate handling of the Matter.

If Karlon J. Kidder, Esq. is representing multiple clients jointly in the Matter, then each client is responsible for cooperating with and coordinating the representation of all the client's interests. Unless otherwise agreed to by the Law Offices in writing, the Law Offices are authorized to discuss with each of the clients all relevant communications received from any of the other clients with regard to the Matter.

In the event the Client perceives any actual or possible disagreement with Karlon J. Kidder of the Law Offices or the Law Office's handling of the Matter, the Client shall promptly and candidly discuss the problem with Karlon J. Kidder.

Karlon J. Kidder, Esq. of the Law Group agrees to keep the Client informed as to the status of the Matter and as to the course of action which is being followed or is being recommended by the Offices. The Law Offices encourage the Client to participate in all major decisions involving the Matter. Unless otherwise agreed or directed by the Client, the Law Offices will provide the Client copies, at the Client's cost, of all significant documents sent or received by the Offices in connection with the Matter. Documents in the control or possession of the Client which are requested by the Law Offices shall be supplied in the form of copies, and not originals, unless otherwise directed by the Organization.

Governing Law of Rules of Professional Conduct

This engagement agreement shall be interpreted and enforced in accordance with the laws of the State of Nevada.

The Law Office's services shall be governed by the Rules of Professional Conduct as adopted by the Nevada Supreme Court, without regard to where the services are actually performed.

Effort and Outcome

Karlon J. Kidder of the Law Offices agrees to competently and diligently represent the Client in the Matter. However, the Client acknowledges that Karlon J. Kidder of the Law Offices have given no assurances regarding the outcome of the Matter.

Commencement of Representation

Representation of the Client by Karlon J. Kidder of the Law Offices shall commence in the Matter no sooner than receipt of the retainer due to the Law Offices, which is acknowledged as being received. A copy of this Engagement Agreement, signed by the Client, shall be supplied by Client soon after transmittal by Law Offices. However, representation shall commence at the time of receipt of the retainer, if said retainer receipt occurs before receipt of a signed copy of this Engagement Agreement.

Retention of Files

The Client is responsible for maintaining its own copy of documents forwarded to the Client by the Law Offices. The Law Offices will endeavor, subject to casualties beyond its control, to retain and maintain the major and significant components of the Law Office's files relative to the Matter for a period of at least three (3) years following the conclusion of the Matter.

Subsequent Matters

In the event the Client engages the Law Offices to handle subsequent matters, then unless otherwise agreed in writing between the Law Offices and Client, those subsequent matters shall be governed by the terms and conditions of this Engagement Agreement.

Integration

This Engagement Agreement contains the entire agreement between the Client and the Law Offices regarding the Matter and the fees, costs and expenses relative to the Matter. This Engagement Agreement shall not be modified except by written agreement signed by the Law Offices and the Client. This Engagement Agreement shall be binding upon the Client and the Law Offices and their respective heirs, executors, legal representatives and successors.

Review by Other Counsel

This Engagement Agreement is a binding legal document with significant consequences. The Client may have this agreement reviewed by other counsel of the Client's choice prior to execution by the Client at Client's discretion..

Please sign a copy of this agreement in the space provided and return it promptly to the Law Offices.

Sincerely,



Karlon J. Kidder, Esq.

The terms and conditions expressed in the foregoing engagement agreement are agreed and accepted.


DEBBIE ZELINKSI

Executed on this date: 10/29/2020

Exhibit 6

Exhibit 6

1 Karlon J. Kidder, Esq.
2 Bar No. 11622
3 THE KIDDER LAW GROUP, LTD
4 620 N Rock Blvd
5 Sparks, NV 89431
6 775-359-1936 Telephone
7 775-359-1992 Facsimile
8 kjk@kidderlawgroup.com

9 Attorney for Petitioner,
10 DEBORAH LOUISE ZELINSKI

11 **SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
12 **IN AND FOR THE COUNTY OF WASHOE**

13 In the matter of the Estate of
14 RHONDA LOUISE MITCHELL,

15 Decedent

16 Case No.: PR20-00518

17 **NOTICE OF APPEARANCE**

18 PLEASE TAKE NOTICE that Karlon J. Kidder, Esq. of the law firm, The Kidder
19 Law Group, LTD., is hereby appearing as counsel of record for Petitioner, DEBORAH
20 LOUISE ZELINSKI.

21 Please address all pleadings and correspondence to:

22 Karlon J. Kidder, Esq.
23 THE KIDDER LAW GROUP, LTD.
24 620 N. Rock Boulevard
25 Sparks, Nevada 89431
26 Telephone: (775) 359-1936
27 Facsimile: (775) 359-1992
28 e-mail: kjk@kidderlawgroup.com

Dated this 29th day of October, 2020.

///

///

///

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding document, **NOTICE OF APPEARANCE**, does not contain the social security number of any person.

THE KIDDER LAW GROUP, LTD.



KARLTON J. KIDDER, ESQ.

NV Bar ID # 11622

620 N. Rock Blvd.

Sparks, Nevada 89431

(775) 359-1936 Telephone

(775) 359-1992 Facsimile

kjk@kidderlawgroup.com

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Exhibit 7

Exhibit 7

1 **1360**
2 DEBORAH ZELINSKI
3 6826 Quantam Court
4 Sparks, NV 89436
5 (775) 737-3897
6 *In Proper Person*

7 SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
8 IN AND FOR THE COUNTY OF WASHOE

9 In the Matter of the Estate of Case No. PR20-00518
10 RHONDA LOUISE MITCHELL Dept. No. PR
11 Deceased.

12 **CERTIFICATE OF MAILING**

13
14 I hereby certify that service of the Notice of Hearing on Petition for LETTERS OF
15 ADMINISTRATION, and the PETITION FOR LETTERS OF ADMINISTRATION, along with
16 it's exhibits, was made this 11 day of November, 2020,
17 by depositing a copy of the same in the U.S. Mail, postage prepaid, certified, return receipt
18 requested, addressed to:

- 19 1. Nevada Department of Human Resources, Welfare Division, 1470 East College
20 Parkway, Carson City, Nevada 89706.
21 2. Medicaid Estate Recovery, 1000 E. William Street, Suite 109, Carson City,
22 Nevada 89701.
23 3. SHAWNAN BELL, 1014 Fox Hollow Trail, Canton, GA 30113.
24 4. JENNIFER BARCO, 280 Fallen Leaf Lane, Fernley, NV 89408.
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AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned hereby affirms that this document does not contain the social security number of any person.

DATED this 26 day of August, 2020.



DEBORAH ZELINSKI
6826 Quantam Court
Sparks, NV 89436
(775) 737-3897
In Proper Person

Return Of NEF

Recipients

DEBORAH ZELINSKI - Notification received on 2020-11-03 11:39:32.569.

KARLON KIDDER, ESQ. - Notification received on 2020-11-03 11:39:32.591.

***** IMPORTANT NOTICE - READ THIS INFORMATION *****

PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: PR20-00518

Judge:

PROB. COMM. EDMUND J. GORMAN

Official File Stamp:

11-03-2020:11:36:31

Clerk Accepted:

11-03-2020:11:39:05

Court:

Second Judicial District Court - State of Nevada
Civil

Case Title:

ESTATE: RHONDA LOUISE MITCHELL

Document(s) Submitted:

Notice of Hearing
Affidavit of Mailing

Filed By:

DEBORAH ZELINSKI

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

The following people were served electronically:

KARLON J. KIDDER, ESQ. for DEBORAH
LOUISE ZELINSKI

The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):

RHONDA LOUISE MITCHELL

Exhibit 8

Exhibit 8

1 **2840**

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6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
7 **IN AND FOR THE COUNTY OF WASHOE**
8

9 In the Matter of the Estate of: Case No. PR20-00518
10 RHONDA LOUISE MITCHELL, Dept. PR
11 Deceased.

12 _____/
13 **RECOMMENDATION FOR ORDER DENYING PETITION FOR LETTERS OF**
14 **ADMINISTRATION**

15 On September 10, 2020, Deborah Zelinski filed a *Petition for Letters of*
16 *Administration*¹ (the “Petition”) seeking to prove a will of the Decedent, and for
17 issuance of letters. The Petition was brought for a telephonic hearing on October
18 28, 2020. At the hearing, Shawnan Bell and Jennifer Barco appeared and objected
19 to the granting of the Petition. The matter was continued to December 1, 2020, to
20 allow Shawnan Bell and Jennifer Barco to file a written objection, and to allow the
21 hearing to be properly noticed in accordance with NRS 155.020(1)(b). Prior to the
22 hearing on December 1, 2020, Shawnan Bell and Jennifer Barco filed, through

23 _____
¹ Despite being titled a petition for letters of “administration”, the Petition alleges that the Decedent died testate, and so the Petition must be construed as a petition for letters testamentary.

1 counsel Courtney Miller-O'Mara, Esq., an *Objection of Shawnan Bell and Jennifer*
2 *Barco to Zelinski Petition for Probate of Will; Counterpetition to Appoint Shawnan Bell*
3 *and Jennifer Barco as Special Administrators* (the "Objection"). At the hearing,
4 Deborah Zelinski appeared with her counsel, Karlon J. Kidder, Esq.; Shawnan Bell
5 and Jennifer Barco appeared with their counsel, Courtney Miller-O'Mara, Esq.
6 Based on the verified papers and pleadings on file, and argument taken at hearing,
7 the Court finds as follows:

8 1. Rhonda Louise Mitchell passed away on May 30, 2020, a resident of
9 Washoe County, Nevada, leaving real and personal property subject to
10 administration within this county;

11 2. Deborah Zelinski failed to publish the notice of hearing on her petition,
12 as required by NRS 155.020(1)(b);

13 3. In the Petition, Ms. Zelinski alleges that the Decedent died testate, leaving
14 a two-page will dated December 3, 2012, which is part of the document(s) filed with
15 the Petition as *Exhibit 2*;

16 4. At the hearing, Ms. Zelinski, through counsel, argued that another
17 document, dated August 23, 2019, and also included in *Exhibit 2* to the Petition,
18 was possibly the valid will of the Decedent;

19 5. All the documents attached to the Petition as *Exhibit 2* have been lodged
20 with the Court, despite the fact that much of that 47-page document concerns the
21 Decedent's trust(s), and is not testamentary in character;

22 6. The Court finds that the August 23, 2019 document, entitled "Last Will
23 and Testament", is not admissible on its face because, while it bears the signature

1 of two subscribing witnesses, it does not contain an attestation clause or a self-
2 proving affidavit executed by the witnesses;

3 7. Further, the Court notes, without adjudicating the issue, that this
4 document appears to be, at most, a codicil to a prior will, based on the document's
5 failure to revoke any prior wills, the use of the word "also" in its first dispositive
6 provision, and the failure of the document to dispose of substantially all of the
7 Decedent's property.

8 8. The two-page December 3, 2012 instrument is appended by a document
9 of even date, entitled "Attestation Clause"² which on its face refers to a "First Codicil
10 to the Last Will and Testament of Rhonda Louise Mitchell, an instrument consisting
11 of five (5) pages, this one included".

12 9. *Exhibit 2* to the Petition does not contain any five- (or four-) page
13 document entitled "First Codicil to the Last Will and Testament of Rhonda Louise
14 Mitchell".

15 10. The Court therefore finds that the December 3, 2012 instrument also
16 cannot be admitted because Ms. Zelinski has not shown that it was signed by two
17 subscribing witnesses.

18 11. The Court finds that Deborah Zelinski has failed to proffer evidence to
19 support an admissible will for probate, and has failed to properly notice this
20 proceeding, and so the Petition must be summarily denied.

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² See Petition, *Exhibit 2*, sixth page. The "Attestation Clause" document appears after the two-page December 3, 2012 instrument, a single-page, unsigned "First Codicil to the Last Will and Testament of Rhonda Louise Barco", and the single-page October 23, 2019 instrument subscribed by witnesses other than those whose names appear in the "Attestation Clause".

1 12. While a certain 1998 will included in the Petition's *Exhibit 2* does appear
2 admissible on its face, no party has sought admission of this will.

3 13. The Objection seeks appointment of either Shawnan Bell and Jennifer
4 Barco, Washoe County Public Administrator, Brandy Arroyo of Arroyo Consulting,
5 or Guardianship Services of Nevada as special administrator.

6 14. While the Objection states clear and compelling grounds for the
7 appointment of a special administrator, it does not set forth the qualifications of
8 any of the suggested special administrators. Therefore, the Counter-Petition should
9 be denied, without prejudice.

10 14. While any interested person in this case may bring a petition (or a
11 renewed petition) for appointment of a special administrator, the Court will require
12 proof of mailing of the petition on all other interested persons of the estate at least
13 five days before submission to the Court for decision. If an objection to any such
14 petition is filed, a hearing will be necessary and the Court will not grant letters ex
15 parte.

16
17 **WHEREFORE, IT IS HEREBY RECOMMENDED** that the *Petition for Letters of*
18 *Administration* is **denied**, without prejudice; Further, the counterpetition of
19 Shawnan Bell and Jennifer Barco to appoint a special administrator is **denied**,
20 without prejudice.

21 DATED this 4th day of December, 2020.

22 **IT IS SO RECOMMENDED.**

23 
PROBATE COMMISSIONER

Exhibit 9

Exhibit 9

1 **1360**
2 DEBORAH ZELINSKI
3 6826 Quantam Court
4 Sparks, NV 89436
5 (775) 737-3897
6 *In Proper Person*

7 SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
8 IN AND FOR THE COUNTY OF WASHOE

9 In the Matter of the Estate of

Case No. PR20-00518

10 RHONDA LOUISE MITCHELL

Dept. No. PR

11 Deceased.
12 _____

13 **DECLARATION OF PUBLICATION**

14
15 **AFFIRMATION PURSUANT TO NRS 239B.030**

16 The undersigned hereby affirms that this document does not contain the social
17 security number of any person.

18 DATED this 8 day of DEC. 2020.

19 

20 DEBORAH ZELINSKI
21 6826 Quantam Court
22 Sparks, NV 89436
23 (775) 737-3897
24 *In Proper Person*

Declaration of Publication

STATE OF NEVADA,
County of Washoe-SS

Kenzie J. Clay

declares and says that she is the Record Clerk of the SPARKS TRIBUNE, a daily Newspaper, published in Sparks, Washoe County, Nevada; that she has charge of and knows the advertising appearing in said newspaper, and the

NOTICE OF HEARING

MITCHELL

Case No. PR20-00518

of which a copy is hereunto attached, was first published in said newspaper in its issue dated

11th day of November, 2020

11-18-2020

the date of the last publication being in the issue o

November 25, 2020

Under penalty of perjury, I declare that The foregoing is true and correct.

Dated 25th day of November, 2020



Kenzie J. Clay

2550
DEBORAH ZELINSKI
6826 Quantam Court
Sparks, NV 89436
(775) 737-3897
In Proper Person

SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND FOR THE COUNTY OF WASHOE

In the Matter of the Estate of RHONDA LOUISE MITCHELL Deceased.

Case No. PR20-00518
Dept. No. PR

NOTICE OF HEARING UPON THE PETITIN FOR LETTERS OF ADMINISTRATION

NOTICE IS HEREBY GIVEN that DEBORAH ZELINSKI has filed in this Court a PETITION FOR LETTERS OF ADMINISTRATION for the estate of RHONDA LOUISE MITCHELL, deceased, and a hearing has been set for

the 1st day of December, 2020, at 1: pm in Department PR of the above-entitled Court which is located at 75 Court Street, Reno, Nevada 89502. The Hearing will be conducted by conference call only. Any person who wishes to be heard on this matter shall obtain the public dial-in number and Meeting ID by visiting <https://www.washoecourts.com/Probate>, or by calling (775) 328-3100 at least two days in advance of the hearing. All persons interested in the estate are notified to appear and show cause why the petition should not be granted. Further details concerning this Petition can be obtained by reviewing the Court file at the Office of the Washoe County Court Clerk, or by contacting the Petitioner, whose name, address and telephone number are:

DEBORAH ZELINSKI
6826 Quantam Court
Sparks, NV 89436
(775) 737-3897

AFFIRMATIN PURSUANT TO NRS 239B.030

The undersigned hereby affirms that this document does not contain the social security number of any person.

DATED this 28 day of August, 2020

DEBORAH ZELINSKI
6826 Quantam Court
Sparks, NV 89436
(775) 737-3897
In Proper Person

Pub: 11-11, 11-18, 11-25, 2020

Exhibit 10

Exhibit 10

1 **2690**

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6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
7 **IN AND FOR THE COUNTY OF WASHOE**
8

9 In the Matter of the Estate of:

10 RHONDA LOUISE MITCHELL,
11 Deceased.

Case No. PR20-00518
Dept. No. PR

12 _____/
13 **CONFIRMING ORDER**

14 On December 4, 2020, the Probate Commissioner entered a *Recommendation*
15 *for Order Denying Petition for Letters of Administration* in this case. No party has
16 filed a request for judicial review of the Recommendation, and the period for filing
17 such a request has expired. See WDCR 57.3(7).

18 **WHEREFORE, IT IS HEREBY ORDERED** that the *Recommendation for Order*
19 *Denying Petition for Letters of Administration* entered on December 4, 2020 is
20 approved, confirmed, and adopted in its entirety as an order of this Court.

21 DATED this 30th day of December, 2020.

22
23 
24 _____
DISTRICT JUDGE

CERTIFICATE OF SERVICE

CASE NO. PR20-00518

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the STATE OF NEVADA, COUNTY OF WASHOE; that on the 30 day of December, 2020, I electronically filed the CONFIRMING ORDER with the Clerk of the Court by using the ECF system.

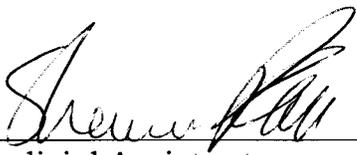
I further certify that I transmitted a true and correct copy of the foregoing document by the method(s) noted below:

Electronically filed with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:

COURTNEY MILLER O'MARA, ESQ. for JENNIFER LYNN BARCO et al
KARLON KIDDER, ESQ. for DEBORAH ZELINSKI

Deposited in the Washoe County mailing system for postage and mailing with the United States Postal Service in Reno, Nevada:

NONE



Judicial Assistant

Exhibit 11

Exhibit 11

1 **3591**
2 COURTNEY MILLER O'MARA, ESQ.
3 Nevada Bar #10683
4 FENNEMORE CRAIG, P.C.
5 7800 Rancharrah Parkway
6 Reno, NV 89511
7 Tel: (775) 788-2200
8 Email: comara@fclaw.com
9 *Attorneys for Shawnan Bell*
10 *and Jennifer Barco*

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**IN THE SECOND JUDICIAL DISTRICT COURT IN AND FOR THE
STATE OF NEVADA AND FOR THE COUNTY OF WASHOE**

In the Matter of the Estate	CASE NO. PR20-00518
of	DEPT. NO. PR
RHONDA LOUISE MITCHELL,	
Deceased.	

**PETITION TO APPOINT SHAWNAN BELL AND JENNIFER BARCO AS SPECIAL
ADMINISTRATOR**

COMES NOW, SHAWNAN BELL AND JENNIFER BARCO, by and through their counsel of record, FENNEMORE CRAIG, P.C., and represents as follows:

1. RHONDA LOUISE MITCHELL fka RHONDA LOUISE BARCO (hereinafter referred to as "Decedent") died on May 30, 2020, in Washoe County, Nevada and at that time was a resident of Washoe County, Nevada. A copy of the death certificate is attached hereto as **Exhibit 1**.
2. Decedent was unmarried and had two adult daughters at the time of her death.
3. Petitioners are the two adult daughters of Decedent. Both are adults and neither has been convicted of a felony.
4. As detailed in the December 1, 2020 opposition of Petitioners to the Zelinski petition for probate, there are significant questions about Decedent's estate planning documents that Deborah Zelinski lodged with the Court. Petitioners are investigating those facts in the personal capacities.
5. The names, ages and residences of the heirs, next of kin, devisees and legatees of the

Kidder ROA - 274

1 Decedent as far as known to the Petitioners are as follows:

2 Name	Address	Relationship to Decedent/Age
3 Shawnan Bell	1014 Fox Hollow Trail Canton, GA 30113	Daughter/Adult
4 Jennifer Barco	280 Fallen Leaf Fernley, NV 89408	Daughter/Adult
5 Deborah Zelinski	6826 Quantum Ct. Sparks, NV 89436	Alleged Devisee/Caregiver/Adult

7 6. Pursuant to NRS 140.010(1), the Court shall appoint a special administrator if “there
8 is a delay in granting letters testamentary or letters of administration, from any cause”.

9 7. Pursuant to NRS 140.020, the Court must appoint a person who satisfies the
10 requirements of NRS 139.010, which Petitioners do. Although Petitioner Bell resides outside
11 Nevada, Petitioner Barco lives in Nevada and so the two can serve as co-administrators. Further, the
12 Court is to give priority to persons entitled to letters testamentary or to letters of administration. NRS
13 140.020(3). Petitioners are the nominated personal representatives under the 1998 Will, which
14 should, in due course, be admitted to probate. Additionally, if the Decedent had died intestate, they
15 would be entitled to priority to serve as administrators, pursuant to NRS 139.040(b).

16 8. The powers and duties of a special administration include the obligation to “(a) Collect
17 and preserve for the executor or administrator when appointed all the goods, chattels and receivables
18 of the decedent, and all incomes, rents, issues, profits, claims and demands of the estate” and “(b)
19 Take charge and management of the real property and enter upon and preserve it from damage, waste
20 and injury.” NRS 140.040(1)(a) and (b). A special administrator may also “Exercise such other
21 powers as have been conferred by the order of appointment.” 140.040(2)(c).

22 9. Because the investigation of Decedent’s estate planning documents is ongoing and no
23 will has been admitted to probate yet, a special administration is necessary and appropriate. As the
24 Court noted in its December 4, 2020, Report and Recommendation, Ms. Zelinski’s petition failed to
25 proffer sufficient evidence to support an admissible will for probate, in addition to other defect
26 regarding notice.

27 10. The approximate value of the estate is unknown, but includes real property and a
28 Subaru automobile and is believed to be more than THREE HUNDRED THOUSAND DOLLARS
Kidder ROA - 275

1 (\$300,000.00).

2 11. The main asset of this Estate is real property located at 2130 Frisco Way in Sparks,
3 Nevada, which is believed to have a value of close to \$400,000.

4 12. Petitioners believe Decedent's legitimate documents will have the ultimate legal effect
5 of distributing the Estate's assets to Decedent's Trust and then to Ms. Bell and to Ms. Barco, the
6 Decedent's two daughters. Petitioners investigation of the facts surrounding Decedent's 2012 estate
7 planning documents is ongoing.

8 13. The original 1998 Will has been lodged with the Court and includes a self-proving
9 affidavit. A copy is attached hereto as **Exhibit 2**. Such will nominates Petitioners to serve as personal
10 representatives. Such Will further indicates Decedent's wish that her representatives serve without
11 bond. 1998 Will at page 2.

12 14. Petitioners intend to petition the Court to admit the 1998 will to probate, separately.
13 However, in the interim a special administrator is needed to protect and preserve the Estate's assets.
14 Most importantly, the Decedent is the owner of a real property that is subject to a reverse mortgage.
15 It is in the best interest of all interested persons, whatever Decedent's ultimate estate planning
16 documents are proved to be, to sell this real property to minimize carrying expenses such as utilities
17 and insurance and to pay off the deed of trust Decedent gave in connection with the reverse mortgage.
18 Petitioners ask that the special administrator be authorized to sell the real property, subject to Court
19 confirmation. Petitioners anticipate requesting that the proceeds of sale be placed in a locked account.

20 15. Further, Decedent's real property is apparently occupied by some third person who
21 has no rights to the Estate under any set of documents. Counsel for Ms. Zelinski informed
22 undersigned counsel that such person is not paying any rent for the privilege of residing at Decedent's
23 property. Such occupancy poses a potential liability risk to the Estate and should be terminated
24 promptly to permit the home to be marketed for sale and sold as requested in the previous paragraph.

25 16. Because Ms. Bell and Ms. Barco believe there may be a mortgage on the property, a
26 special administrator is needed to communicate with the lender about pay-off terms.

27 17. Additionally, it is unknown whether Decedent's automobile, a 2013 Subaru Forester
28 (the "Subaru"), is being properly preserved. Petitioners ask that the special administrator be

FENNEMORE CRAIG
7800 Rancharrah Parkway
Reno, NV 89501
Tel: (775) 788-2200 Fax: (775) 786-1177

1 authorized to take possession of and sell the Subaru and place the proceeds in a blocked account.

2 WHEREFORE, Petitioners pray:

3 1. That the Court appoint Petitioners as Special Administrators of the Estate of
4 Rhonda Louise Mitchell, deceased, to secure and protect the Decedent's real property located at 2130
5 Frisco Way in Sparks, Nevada, her automobile and personal belongings; as well as investigate the
6 status of the mortgage, and to market and sell the real property, subject to court confirmation, and the
7 Subaru, preserving the proceeds in a blocked account for the ultimate devisees or heirs.

8 2. That the order provide specific authority for Decedent's estate to pursue civil
9 eviction remedies against any persons found to be occupying Decedent's residence without a valid
10 lease;

11 3. That Special Letters of Administration issue to the Special Administrator upon
12 their taking the oath of office as required by law;

13 4. For such other and further orders as the Court may deem proper.

14 The undersigned does hereby affirm that the preceding document does not contain the social
15 security number of any person.

16 DATED: December 30, 2020.

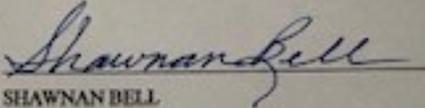
FENNEMORE CRAIG, P.C.

17
18 By: /s/ Courtney Miller O'Mara
19 Courtney Miller O'Mara (SBN 10683)
20 7800 Rancharrah Parkway
21 Reno, NV 89511
22 Tel: (775) 788-2200
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VERIFICATION

SHAWNAN BELL declares under penalty of perjury under the laws of the State of Nevada as follows I have read the foregoing PETITION TO APPOINT SHAWNAN BELL AND JENNIFER BARCO AS SPECIAL ADMINISTRATOR and that the same is true of my own knowledge, except for matters stated therein on information and belief, and as to those matters, I believe them to be true.

DATED this 25 day of December, 2020.


SHAWNAN BELL

VERIFICATION

JENNIFER BARCO declares under penalty of perjury under the laws of the State of Nevada as follows I have read the foregoing PETITION TO APPOINT SHAWNAN BELL AND JENNIFER BARCO AS SPECIAL ADMINISTRATOR and that the same is true of my own knowledge, except for matters stated therein on information and belief, and as to those matters, I believe them to be true.

DATED this _____ day of _____, 2020.

JENNIFER BARCO

CERTIFICATE OF SERVICE

I certify that I am an employee of FENNEMORE CRAIG, P.C., and that on this date, pursuant to NRCP 5 (b), I am serving a true copy of the foregoing PETITION TO APPOINT SHAWNAN BELL AND JENNIFER BARCO AS SPECIAL ADMINISTRATOR on the parties set forth below by:

<input type="checkbox"/>	Placing an original or true copy thereof in a sealed envelope placed for collection and mailing in the United States Mail, at Reno, Nevada, postage prepaid, following ordinary business practices
<input type="checkbox"/>	Certified Mail, Return Receipt Requested
<input type="checkbox"/>	Via Facsimile (Fax)
<input type="checkbox"/>	Placing an original or true copy thereof in a sealed envelope and causing the same to be personally Hand Delivered

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VERIFICATION

JENNIFER BARCO declares under penalty of perjury under the laws of the State of Nevada as follows I have read the foregoing PETITION TO APPOINT SHAWNAN BELL AND JENNIFER BARCO AS SPECIAL ADMINISTRATOR and that the same is true of my own knowledge, except for matters stated therein on information and belief, and as to those matters, I believe them to be true.

DATED this 26th day of December, 2020.

Jennifer Barco
JENNIFER BARCO

FENNEMORE CRAIG
7800 Ranchurnah Parkway
Reno, NV 89501
Tel: (775) 788-2200 Fax: (775) 786-1177

CERTIFICATE OF SERVICE

I certify that I am an employee of FENNEMORE CRAIG, P.C., and that on this date, pursuant to NRCP 5 (b), I am serving a true copy of the foregoing PETITION TO APPOINT SHAWNAN BELL AND JENNIFER BARCO AS SPECIAL ADMINISTRATOR on the parties set forth below by:

	Placing an original or true copy thereof in a sealed envelope placed for collection and mailing in the United States Mail, at Reno, Nevada, postage prepaid, following ordinary business practices
	Certified Mail, Return Receipt Requested
	Via Facsimile (Fax)
	Placing an original or true copy thereof in a sealed envelope and causing the same to be personally Hand Delivered
XX	By Notice of Electronic Filing via the electronic filing system as maintained by the Court Clerk's Office

addressed as follows:

Via Electronic Filing:

Karlon J. Kidder, Esq.
The Kidder Law Group, Ltd.
620 N. Rock Boulevard
Sparks, NV 89431
*Attorney for Petitioner,
Deborah Louise Zelinski*

DATED: December 30, 2020.

/s/ Anne Boessenecker Alley
An employee of Fennemore Craig

FENNEMORE CRAIG
7800 Rancharrah Parkway
Reno, NV 89501
Tel: (775) 788-2200 Fax: (775) 786-1177

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INDEX OF EXHIBITS

Exhibit No.	Description
1	Death certificate
2	1998 Will

Exhibit 12

Exhibit 12

CERTIFICATE OF SERVICE

I certify that I am an employee of FENNEMORE CRAIG, P.C., and that on this date, pursuant to NRCP 5 (b), I am serving a true copy of the foregoing REQUEST FOR SUBMISSION on the parties set forth below by:

	Placing an original or true copy thereof in a sealed envelope placed for collection and mailing in the United States Mail, at Reno, Nevada, postage prepaid, following ordinary business practices
	Certified Mail, Return Receipt Requested
	Via Facsimile (Fax)
	Placing an original or true copy thereof in a sealed envelope and causing the same to be personally Hand Delivered
XX	By Notice of Electronic Filing via the electronic filing system as maintained by the Court Clerk's Office

addressed as follows:

Via Electronic Filing:

Karlon J. Kidder, Esq.
The Kidder Law Group, Ltd.
620 N. Rock Boulevard
Sparks, NV 89431
*Attorney for Petitioner,
Deborah Louise Zelinski*

DATED: January 6, 2021.

/s/ Anne Boessenecker Alley
An employee of Fennemore Craig

Exhibit 13

Exhibit 13

1 **2735**

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6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
7 **IN AND FOR THE COUNTY OF WASHOE**
8

9 In the Matter of the Estate of: Case No. PR20-00518
10 RHONDA LOUISE MITCHELL, Dept. PR
11
12 Deceased.
_____ /

13 **ORDER APPOINTING SPECIAL CO-ADMINISTRATORS**

14 Upon submission of a verified Petition to Appoint SHAWNAN BELL and JENNIFER
15 BARCO as Special Co-Administrators, representing as follows:

16 1. That RHONDA LOUISE MITCHELL fka RHONDA LOUISE BARCO died
17 on May 30, 2020, and at the time of her death was a resident of the County of
18 Washoe, in the state of Nevada.

19 2. That Petitioners are the two adult daughters of Decedent. Both
20 Petitioners are willing to serve as Special Co-Administrators, are over the age of
21 eighteen, neither has been convicted of a felony, and both are otherwise qualified to
22 serve as Special Administrator of the Estate of RHONDA LOUISE MITCHELL.
23

1 3. That there are significant questions about Decedent’s estate planning
2 documents that DEBORAH ZELINSKI lodged with the Court, as noted in the Court’s
3 December 4, 2020, Recommendation for Order Denying Petition for Letters of
4 Administration.

5 4. That DEBORAH ZELINSKI’S Petition for Letters of Administration,
6 which was previously denied by the Court, failed to proffer sufficient evidence to
7 support an admissible will for probate, in addition to other defects regarding notice.

8 5. That SHAWNAN BELL and JENNIFER BARCO require Letters of Special
9 Administration to be authorized to care for the property belonging to the Decedent.

10 6. That adequate notice of this petition has been given to all interested
11 parties.¹

12
13 Therefore, based on the foregoing and good cause appearing,

14 **IT IS HEREBY ORDERED** that the Petition be **GRANTED** and that said SHAWNAN
15 BELL and JENNIFER BARCO are appointed as Special Co-Administrators of the
16 Estate of RHONDA LOUISE MITCHELL; that Letters of Special Administration be
17 issued to SHAWNAN BELL and JENNIFER BARCO, upon taking the oath of office,
18 without bond. SHAWNAN BELL and JENNIFER BARCO shall have and exercise all
19 the powers and duties conferred by NRS 140.040.

20
21 _____
22 ¹ The Court’s Recommendation of December 4, 2020, which was confirmed by an order of December 30, 2020 provided:
23 “The Court will require proof of mailing of the petition [for special administration] on all other interested persons of the
estate at least five days before submission to the Court for decision.” The Court notes that no proof of mailing was filed,
but that counsel for Deborah Zelinski did receive notice via the Court’s e-Flex system. While such notice is permissible
under NRCF Rule 5, it is not sufficient for service under NRS 155.010. Even so, recognizing that Ms. Zelinski, through
her counsel, has actual notice of the petition, and has not filed an objection, the Court waives further notice.

1 **IT IS HEREBY FURTHER ORDERED** that the specific relief requested in the
2 Petition is **GRANTED**, to wit: that SHAWNAN BELL and JENNIFER BARCO are
3 authorized to sign the documents pertaining to the listing and sale of the Decedent's
4 residential real property, which sale shall thereafter be subject to Court
5 confirmation pursuant to NRS Chapter 148.

6 **IT IS HEREBY FURTHER ORDERED** that any money received by the estate of the
7 Decedent shall be placed in a blocked estate account, or the attorney's client trust
8 account, until further order of the Court approving disposition of the funds.

9
10 **IT IS HEREBY FURTHER ORDERED** that the Estate, through the Special Co-
11 Administrators, has authority pursue civil eviction remedies against any persons
12 found to be occupying Decedent's residence at 2130 Frisco Way in Sparks, Nevada
13 without a valid lease.

14
15 **IT IS HEREBY FURTHER ORDERED** that SHAWNAN BELL and JENNIFER BARCO
16 shall file an account with the Court pursuant to NRS 140.080, within sixty (60) days
17 of the date of this order, and annually thereafter.

18
19 **IT IS HEREBY FURTHER ORDERED** that SHAWNAN BELL and JENNIFER
20 BARCO, as Special Co-Administrators, shall file an Inventory, Appraisement and
21 Record of Value with the Court within one hundred-twenty (120) days pursuant to
22 NRS 144.010.

1 **IT IS HEREBY FURTHER ORDERED** that SHAWNAN BELL and JENNIFER BARCO
2 shall Petition the Court for administration, as appropriate, within one hundred-
3 eighty (180) days of the date of this Order, or, concurrently with the filing of a
4 Petition for Confirmation of Sale of Real Property, whichever first occurs.

5
6 **IT IS HEREBY FURTHER ORDERED** that SHAWNAN BELL and JENNIFER BARCO
7 shall cause notice of entry of this Order to be served by mail upon the interested
8 persons of the Estate.

9 DATED this 15th day of January, 2021.

10 **IT IS SO RECOMMENDED.**

11 
12 _____
13 PROBATE COMMISSIONER

14 **IT IS SO ORDERED.**

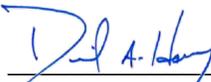
15 
16 _____
17 DISTRICT JUDGE

Exhibit 14

Exhibit 14

1 Karlon J. Kidder, Esq.
2 Bar No. 11622
3 THE KIDDER LAW GROUP, LTD
4 620 N Rock Blvd
5 Sparks, NV 89431
6 775-359-1936 Telephone
7 775-359-1992 Facsimile
8 kjk@kidderlawgroup.com
9 Attorney for Petitioner

7 **SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
8 **IN AND FOR THE COUNTY OF WASHOE**

9 In the matter of the Estate of
10 RHONDA LOUISE MITCHELL,
11 Decedent

Case No.: PR20-00518

**PETITION FOR ORDER
CONFIRMING TRUSTEE AND TRUST
ASSETS**

12
13 COMES NOW, Petitioner, DEBORAH ZELINSKI, pursuant to NRS 164.010 and NRS
14 164.033 and alleges that,

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1. The Petitioner is the presently acting Trustee of the RHONDA MITCHELL LIVING TRUST DATED DECEMBER 3, 2012. A true and correct copy of the Trust is attached hereto as Exhibit "1" and incorporated herein by reference. The original trust agreement has been submitted to the court.
 2. The settlor, RHONDA LOUISE MITCHELL executed a memorandum of distribution of her trust on December 3, 2012 and named the petitioner as the beneficiary of her trust. *See* Exhibit "2".
 3. RHONDA LOUISE MITCHELL died on May 30, 2020. A true and correct copy of the death certificate has been previously filed in this case.
 4. Before her death, RHONDA LOUISE MITCHELL was in the process of transferring title of all of her assets into the Trust. The final page of her trust which was attached to it as exhibit

1 A, and referenced in the trust indicates that the real property located at 2130 Frisco Way,
2 Sparks, Nevada was intended to be transferred to the trust, and become a trust asset.

- 3 5. The Settlor never filed a deed with the Washoe County Recorder's office transferring title of
4 the real property to the trust.
- 5 6. Petitioner believes that the Declaration of Trust under which she has been acting is valid. She
6 has been caring for the property located at 2130 Frisco Way, Sparks, Nevada since the death
7 of the Settlor and has paid substantial out of pocket costs to maintain the property.
- 8 7. Petitioner requests that this Court confirm that all of the interest of RHONDA LOUISE
9 MITCHELL in the real property commonly known as 2130 Frisco Way, Sparks, Nevada,
10 89434 as represented by Exhibits "1" attached hereto, and all of the personal property of
11 RHONDA LOUISE MITCHELL as represented by Exhibit "1" attached hereto be deemed to
12 be assets subject to THE RHONDA MITCHELL LIVING TRUST DATED DECEMBER 3,
13 2012, and under the control of DEBORAH ZELINSKI as Successor Trustee. Petitioner
14 believes that all of the interest of RHONDA LOUISE MITCHELL in the real property
15 commonly known as 2130 Frisco Way, Sparks, NV 89434 is represented by the Exhibit A
16 attached to the Living Trust Agreement, and all of the personal property of RHONDA
17 LOUISE MITCHELL as represented by Exhibit "A" are subject to her control as Successor
18 Trustee as set forth on page 3 of the Trust.
- 19 8. Settlor, RHONDA LOUISE MITCHELL clearly intended for all of her interest of in the real
20 property commonly known as 2130 Frisco Way, Sparks, Nevada 89434 as described in
21 Exhibit A of her trust, and referenced on page 1 of her trust to be Trust Property.
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- 1 9. The names, addresses, and ages of the beneficiary of the trust is the Petitioner, DEBORAH
2 ZELINSKI, 6826 Quantam Court, Sparks, NV 89436, aged 64 years. She is described as the
3 beneficiary on the memorandum of distribution of the trust, attached as exhibit 2.
4
5 10. The settlor, had two adult daughters who have appeared in this matter that were not named as
6 beneficiaries of the Trust. They are SHAWNAN BELL, 1014 Fox Hollow Trail, Canton, GA
7 30113, age 52, and JENNIFER BARCO, 280 Fallen Leaf Lane, Fernley, NV 89408, age 47.

8 **WHEREFORE**, Petitioner prays for an Order of this Court that:

- 9 1. THE RHONDA MITCHELL LIVING TRUST DATED DECEMBER 3, 2012 is
10 valid;
11
12 2. All of the interest of the Settlor, RHONDA LOUISE MITCHELL in the real property
13 commonly known as 2130 Frisco Way, Sparks, NV 89434 as represented by the
14 attached exhibits, and all of the personal property of the Settlor are assets subject to
15 the management and control of DEBORAH ZELINSKI, as Successor Trustee of THE
16 RHONDA MITCHELL LIVING TRUST DATED DECEMBER 3, 2012, pursuant to
17 page 3 of the Trust;
18
19 3. Such other orders as the Court may deem just and proper.

20 Dated this 14th day of January, 2021

21 The undersigned does hereby affirm that the preceding document, **Petition**, does not contain
22 the social security number of any person.

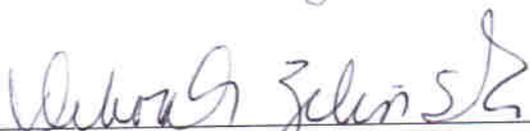
23 THE KIDDER LAW GROUP, LTD.

24
25 
26 KARLON J. KIDDER, ESQ.
27 NV Bar ID # 11622
28 620 N. Rock Blvd.
Sparks, Nevada 89431
(775) 359-1936 Telephone
(775) 359-1992 Facsimile
kjk@kidderlawgroup.com

VERIFICATION

1
2
3 I, the undersigned, the Petitioner in the above-entitled matter, declare that I have read the
4 foregoing Petition for Order Confirming Successor Trustee and Trust Assets and the requests
5 designated therein and know its contents. I declare that the Petition, including all attachments, is true
6 to my own knowledge, except as to matters in it stated on my own information and belief, and as to
7 those matters I believe it to be true.

8
9 I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is
10 true and correct and that this declaration was executed on January 14, 2021
11 at Sparks, Nevada.

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13 _____
14 DEBORAH ZELINSKI, Petitioner

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EXHIBIT #	DESCRIPTION	# PAGES
1	LIVING TRUST AGREEMENT	14
2	MEMORANDUM OF DISTRIBUTION	3

Exhibit 15

Exhibit 15

Karlon J. Kidder, Esq.
Bar No. 11622
THE KIDDER LAW GROUP, LTD
620 N Rock Blvd
Sparks, NV 89431
775-359-1936 Telephone
775-359-1992 Facsimile
kjk@kidderlawgroup.com
Attorney for Petitioner

**SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE**

In the matter of the Estate of
RHONDA LOUISE MITCHELL,
Decedent

Case No.: PR20-00518

**OBJECTION TO PETITION TO
APPOINT SPECIAL ADMINISTRATORS**

COMES NOW, DEBORAH ZELINSKI, by and through counsel, and objects to the Petition for Special Administration filed on December 30, 2020 and improperly submitted to the court on January 6, 2021, and hereby states as follows:

1. On December 30, 2020, the Petitioners filed a Petition for special administration of the estate of RHONDA LOUISE MITCHELL, the decedent, and requested that SHAWNAN BELL AND JENNIFER BARCO be appointed special administrators of the estate.
2. The petitioners then improperly submitted their petition to the court on January 6, 2021.
3. To the best knowledge of the objecting party this petition has not been set for hearing.
4. DEBORAH ZELINSKI has concurrently filed a petition under NRS Chapter 164 in which she requests that the court take jurisdiction of THE RHONDA MITCHELL LIVING TRUST DATED DECEMBER 3, 2012 and for an order transferring the decedent's property to the trust and under the authority of the successor trustee, who is DEBORAH ZELINSKI.

5. Ms. Zelinski has been operating as the successor trustee of the trust, has been administering the estate, taking care of the subject property, paying property taxes and final bills of the decedent, opening the instant case in this Court, and in every other way acting under the authority of the trust and the other (flawed) testamentary documents.
6. The petition filed by Ms. Bell and Barco should not be granted because there does not exist any need for special administration. The subject property has been cared for, out of the pocket of Ms. Zelinski and there is now a current and valid petition to dispose of that property by its transfer to the trust.
7. Ms. Bell and Ms. Barco continue to make false allegations against Ms. Zelinski, regarding the validity of the trust(s) and will(s). Ms. Zelinski did not even know she was a beneficiary/trustee/executrix until approximately a week prior to the decedent's passing last May, and most if not all of the estate documents were drafted years ago. Ms. Zelinski has no ill-will toward Ms. Bell or Ms. Barco and only wishes to carry out the wishes of the decedent.
8. The decedent clearly intended to disinherit her daughters, and now they are attempting to become special administrators of the estate.
9. Despite the above, Ms. Bell and Ms. Barco have been given significant assets of the decedent both by way of being Pay on Death Beneficiaries of property held by the decedent and by Ms. Zelinski voluntarily giving them personal property of the decedent.

WHEREFORE, Petitioner prays for an Order of this Court that:

1. The petition for special administration be denied;
2. For Ms. Zelinski's concurrent petition under Chapter 164 to be granted
3. Such other orders as the Court may deem just and proper.

Dated this 14th day of January, 2021

The undersigned does hereby affirm that the preceding document, **Petition**, does not contain the social security number of any person.

THE KIDDER LAW GROUP, LTD.



KARLÓN J. KIDDER, ESQ.

NV Bar ID # 11622

620 N. Rock Blvd.

Sparks, Nevada 89431

(775) 359-1936 Telephone

(775) 359-1992 Facsimile

kjk@kidderlawgroup.com

Exhibit 17

Exhibit 17

1 **3370**

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5
6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
7 **IN AND FOR THE COUNTY OF WASHOE**
8

9 In the Matter of the Estate of: Case No. PR20-00518
10 RHONDA LOUISE MITCHELL, Dept. PR
11 Deceased.

12 _____/
13 **ORDER OVERRULING OBJECTION TO PETITION TO APPOINT SPECIAL**
ADMINISTRATORS

14 DEBORAH ZELINSKI filed her *Objection to Petition to Appoint Special Administrators*
15 on January 18, 2021 (the "Objection"). This Court had already granted the Petition
16 to Appoint Special Administrators on January 15, 2021, following due notice to Ms.
17 Zelinski as ordered by the Court. The Court therefore finds the Objection was not
18 timely filed. Accordingly, the objection is OVERRULED.

19 DATED this 16th day of February, 2021.

20 **IT IS SO RECOMMENDED.**

21 
22 _____
23 PROBATE COMMISSIONER

20 **IT IS SO ORDERED.**

21 
22 _____
23 DISTRICT JUDGE

EXHIBIT B

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EXHIBIT B



Sent Ite... ▾ ← zelinski



Print × Cancel

RE:

kjk kidderlawgroup.com
<kjk@kidderlawgroup.com>

Wed 12/9/2020 8:21 AM

To: Deborah Zelinski <debbie48326@hotmail.com>

hey can you get me a copy of the lease, the information you have about the estate sale, what was sold how much etc...had a conversation with the daughter's attorney and we are exchanging some information...

Very respectfully,

Karlon J. Kidder, Esq.
620 N. Rock Blvd, Sparks, Nevada
89431
(775) 359-1936; (775) 359-1992(f)

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CONFIDENTIAL - PROTECTED BY ATTORNEY-CLIENT AND ATTORNEY-WORK PRODUCT PRIVILEGES

----- Original Message -----
-
Subject:
From: Deborah Zelinski
<debbie48326@hotmail.com>
Date: Tue, December 08, 2020
9:59 am
To: "kjk@kidderlawgroup.com"
<kjk@kidderlawgroup.com>

000002

Kidder ROA - 302

EXHIBIT C

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EXHIBIT C



Sent Ite... v ← zelinski



Print X Cancel

RE: Fwd: Questions

kjk kidderlawgroup.com
<kjk@kidderlawgroup.com>

Fri 11/20/2020 4:03 PM

To: Deborah Zelinski <debbie48326@hotmail.com>

Yes I responded to you on Monday, maybe check your junk mail if you didn't receive it.

Very respectfully,

Karlon J. Kidder, Esq.
620 N. Rock Blvd, Sparks, Nevada
89431
(775) 359-1936; (775) 359-1992(f)

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CONFIDENTIAL - PROTECTED BY ATTORNEY-CLIENT AND ATTORNEY-WORK PRODUCT PRIVILEGES

----- Original Message -----

-
Subject: Fwd: Questions
From: Deborah Zelinski
<debbie48326@hotmail.com>
Date: Fri, November 20, 2020
11:25 am
To: "kjk@kidderlawgroup.com"
<kjk@kidderlawgroup.com>

Hi Karlon....did you get my email last week?

Sent from my Verizon phone
Kidder-ROA - 304

EXHIBIT D

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EXHIBIT D

⏪ Reply all ✖ 🗑 Delete 🚫 Junk 🚫 Block ...

RE: Questions

KK kjk kidderlawgroup.com 👍 ⏪ ⏩ ...
Mon 11/16/2020 12:17 PM
To: Deborah Zelinski <debbie48326@hotmail.com>

1. No
2. Yes I think that would be the proper thing to do, she is supposed to file them with the court, not your responsibility.
3. The hearing on 12/1 you will not be able to accomplish that, however, afterwards, if you are appointed personal representative, I can then file a motion to sell the property, when that does happen the escrow funds will be made out to the estate of...and then you as the representative of that estate will be able to deposit it in the bank of your choosing, creating a new account in the name of the estate...

Very respectfully,

Karlon J. Kidder, Esq.
620 N. Rock Blvd, Sparks, Nevada 89431
(775) 359-1936; (775) 359-1992(f)

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CONFIDENTIAL - PROTECTED BY ATTORNEY-CLIENT AND ATTORNEY-WORK PRODUCT PRIVILEGES

----- Original Message -----

Subject: Questions
From: Deborah Zelinski <debbie48326@hotmail.com>
Date: Fri, November 13, 2020 5:43 pm
To: "kjk@kidderlawgroup.com" <kjk@kidderlawgroup.com>

Hi Karlon...hope all is well. Couple of things....

- The notification that we took to Sparks Tribune has me listed - in proper person. Does that have to be changed now that we have hired your firm?
- I understand from Rhonda's daughter, Jennifer, Shawnee, Rhonda's other daughter located in Georgia

Kidder ROA - 306

EXHIBIT G

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EXHIBIT G

1 **3855**
2 COURTNEY MILLER O'MARA, ESQ.
3 Nevada Bar #10683
4 FENNEMORE CRAIG, P.C.
5 7800 Rancharrah Parkway
6 Reno, NV 89511
7 Tel: (775) 788-2200
8 Email: comara@fclaw.com
9 *Attorneys for Shawnan Bell*
10 *and Jennifer Barco*

7 **IN THE SECOND JUDICIAL DISTRICT COURT IN AND FOR THE**
8 **STATE OF NEVADA AND FOR THE COUNTY OF WASHOE**

9 In the Matter of the Estate
10 of
11 RHONDA LOUISE MITCHELL,
12 Deceased.

CASE NO. PR20-00518
DEPT. NO. PR

FENNEMORE CRAIG
7800 Rancharrah Parkway
Reno, NV 89501
Tel: (775) 788-2200 Fax: (775) 786-1177

13 **OBJECTION OF SHAWNAN BELL AND JENNIFER BARCO TO ZELINSKI PETITION**
14 **FOR PROBATE OF WILL; COUNTERPETITION TO APPOINT SHAWNAN BELL AND**
15 **JENNIFER BARCO AS SPECIAL ADMINISTRATORS**

16
17 COMES NOW, SHAWNAN BELL AND JENNIFER BARCO, by and through her counsel
18 of record, FENNEMORE CRAIG, P.C., and respectfully submits this objection to the September 10,
19 2020 Petition of Deborah Zelinski ("Zelinski Petition"). For the reasons explained herein, the Court
20 should deny the Zelinski Petition in total and appoint Ms. Bell the special administrator.

21 **I. FACTUAL AND PROCEDURAL BACKGROUND**

22 **A. Interested Persons**

23 1. Ms. Bell is a daughter of Decedent's and is nominated as her personal representative under
24 her December 3, 2012 Last Will and Testament. Ms. Bell is also listed as the successor trustee of
25 the Rhonda Mitchell Trust Agreement executed in 2012. Such Trust is the sole devisee under the
26 December 3, 2012 Last Will and Testament and therefore Ms. Bell is also an interested person for
27 that reason. Ms. Bell intends to separately petition this Court to take jurisdiction of the Trust and
28 confirm her as the trustee of same.

000008

1 2. The other interested persons with respect to this Petition are Ms. Barco, the other daughter
2 of Decedent, and Deborah Zelinski, who claims to be Decedent's nominated personal
3 representative, successor trustee, and trust beneficiary, and is believed to have been Decedent's
4 caregiver.

5 Name	6 Address	7 Relationship to 8 Decedent/Age
9 Shawnan Bell	10 1014 Fox Hollow Trail 11 Canton, GA 30113	12 Daughter/Adult
13 Jennifer Barco	14 280 Fallen Leaf 15 Fernley, NV 89408	16 Daughter/Adult
17 Deborah Zelinski	18 6826 Quantum Ct. 19 Sparks, NV 89436	20 Alleged 21 Devisee/Caregiver/Adult

22 **B. Decedent's Estate Planning**

23 3. On December 2, 1998, Rhonda Louise Barco ("Decedent") established The Rhonda Barco
24 Living Trust (the "1998 Trust"), naming her daughters, Jennifer Barco and Shawnan Bell, to serve
25 as the successor trustees. The 1998 Trust indicates that the distributions should be made in
26 accordance with a memo, but Ms. Bell is not in possession of the referenced memo. Decedent signed
27 the document as "Rhonda Louise Barco." A copy of this document was among the documents
28 attached to the Zelinski Petition at Exhibit 2 (pp. 34 to 48 of that pdf).¹

1 4. On December 2, 1998, Rhonda Louise Barco executed a will (the "1998 Will"), which will
2 devise all of her estate to The Rhonda Barco Living Trust established November 30, 1998. Ms.
3 Bell is not in possession of any Trust with that date, and suspects the reference to November 30,
4 1998 may be a scrivener's error. Decedent signed the 1998 Will as "Rhonda Louise Barco" and
5 initialed it "RLB" at each page. A copy of this document was among the documents attached to the
6 Zelinski Petition at Exhibit 2 (pp. 7 to 11 of that pdf).

¹ The Zelinski Petition includes at Exhibit 2 a 48 page PDF (including the exhibit slip sheet). The
page references herein to that Exhibit 2 refer the pages of the PDF, with the page displaying the
exhibit sheet as page 1.

1 5. The 1998 Trust and 1998 Will appear to have been superseded by a suite of documents
2 Decedent executed on December 3, 2012, which documents include those described in the following
3 paragraphs 6 through 9, but not the documents described at paragraph 11, which are believed to be
4 fraudulent.

5 6. On December 3, 2012 Decedent executed a document titled "Trust Agreement" (the "2012
6 Rhonda Mitchell Trust"). It is 14 pages long, including Exhibit A, and at Article X indicates that it
7 should be called the Rhonda Mitchell Living Trust." The document is signed "Rhonda Louise
8 Mitchell" as Trustor and Trustee and was notarized by a Laura Aguirre. Ms. Bell has been in
9 possession of a copy of the 2012 Rhonda Mitchell Trust since December 2012. A true and correct
10 copy is attached hereto as **Exhibit 1**.

11 7. On December 3, 2012, Decedent amended the Trust to change the name of the Trust to the
12 Rhonda Mitchell Living Trust (the "Amendment to the 2012 Rhonda Mitchell Trust"). She signed
13 the amendment as "Rhonda Louise Mitchell." This document recites that the Trust was also amended
14 that same day to change the name of the trust to the Rhonda Mitchell Living Trust. Ms. Bell has
15 been in possession of a copy of the Amendment to the 2012 Rhonda Mitchell Trust since December
16 2012. A true and correct copy is attached hereto as **Exhibit 2**.

17 8. On December 3, 2012, Decedent executed a document entitled "Memorandum Regarding
18 Distribution Upon Death of Grantor" (the "2012 Memorandum") providing that all of the trust
19 property should go to Shawnan Barco Bell and Jennifer Barco Delucchi (NKA Jennifer Barco), her
20 two daughters. Decedent signed the 2012 Memorandum as "Rhonda Louise Mitchell." Ms. Bell has
21 been in possession of a copy of the 2012 Memorandum since December 2012. A true and correct
22 copy is attached hereto as **Exhibit 3**.

23 9. On December 3, 2012 Decedent also executed a Last Will and Testament (the "Bell 2012
24 Will"), nominating Shawnan Bell as her personal representative, and designating the Rhonda
25 Mitchell Living Trust as the sole devisee of her estate. The backup beneficiary was listed as Shawnan
26 Bell. Decedent signed this document as "Rhonda Louise Mitchell." The Bell 2012 Will was
27 witnessed by Rocio Grady and Luis A. Mendoza, who signed an Attestation Clause before notary
28 Laura Aguirre. Ms. Bell has been in possession of a copy of the Bell 2012 Will and attestation clause

1 document since December 2012. A true and correct copy is attached hereto as **Exhibit 4**.

2 10. Ms. Zelinski attached with her petition at Exhibit 2 some 48 pages of purported wills and
3 trusts of the Decedent's, including the following documents:

4 a. A "Last Will and Testament of Rhonda Louise Mitchell," purportedly signed
5 December 3, 2012 (the "Zelinski 2012 Will"), naming the Rhonda Mitchell Living Trust as the sole
6 beneficiary, purportedly disinheriting Ms. Barco and Ms. Bell, and nominating Ms. Zelinski as
7 executrix. Zelinski Petition, Exh. 2 at pp. 2-3. The Zelinski 2012 Will does not appear to have been
8 witnessed and is signed "Rhonda Mitchell" unlike the Bell 2012 Will discussed above at paragraph
9 9.

10 b. A "First Amendment to the Rhonda Barco Living Trust Agreement" which is dated
11 December 3, 2012 but does not appear to have been signed by anyone other than the notary. The
12 document states that it is changing the name of the Trust to the Rhonda Mitchell Living Trust, and
13 also includes the following nonsensical paragraph:

14 All of the other remaining provisions with the exception of the named Trustee and
15 the distribution of funds of THE RHONDA MITCHELL LIVING TRUST formerly
16 known as the RHONDA BARCO LIVING TRUST dated December 2, 1998
attached hereto as Exhibit "A", no longer remains the same and is hereby ratified
and affirmed.

17 Zelinski Petition, Exh. 2 at p. 12. No Rhonda Barco Living Trust or Exhibit A follows in the pages
18 that follow in Zelinski Exhibit 2.

19 c. A "Last Will and Testament" dated August 23, 2019 (the "2019 Will") purporting to
20 devise some animals and other personal property to Ms. Zelinski. Zelinski Petition, Exh. 2 at p. 5.
21 While the 2019 Will appears to have been witnessed by a Natasha Rice and Kollin George, Ms. Bell
22 believes that the original has not been lodged with the Court, since no 2019 will of Rhonda Louise
23 Mitchell appears in the Court's will database. Ms. Zelinski's petition does not include any
24 declarations from Ms. Rice or Mr. George. Ms. Bell has serious questions as to whether the
25 document is genuine, including because it is signed "Rhonda Mitchell" and not "Rhonda Louise
26 Mitchell."

27 d. A "First Amendment to the Declaration of Execution of a Living Trust" (the "2012
28

1 Zelinski Trust Amendment”) bearing a date of December 3, 2012 and purporting to change the
2 name of the 1998 Trust to the Rhonda Mitchell Living Trust and also name Ms. Zelinski as
3 successor trustee. Zelinski Petition, Exh. 2 at p. 13. The 2012 Zelinski Trust Amendment is not
4 accompanied by any signature of the Decedent’s. In Zelinski’s Exhibit 2, the page following the
5 2012 Zelinski Trust Amendment appears to be a notarized page relating to a different document, the
6 “First Amendment to the Memorandum Regarding Distribution Upon Death of Grantor” not to the
7 2012 Zelinski Trust Amendment.

8 e. A fourteen page “Trust Agreement” signed by Rhonda Louise Mitchell as Grantor
9 and Rhonda Louise Mitchell as trustee, purportedly executed on December 3, 2012 (the “Zelinski
10 Trust”), and naming Ms. Zelinski as successor trustee. Zelinski Petition, Exh. 2 at pp. 16-29.
11 Curiously, page 3 of this document (Zelinski Exh. 2 at p. 18), appears to have been doctored. The
12 font is different than the other pages and the page break between pages 3 and 4 cuts off in the
13 middle of a line to make the language appear appears as if it precedes the language that begins on
14 page 4. Exhibit A of this document (Zelinski Exh. 2 at p. 14) bears the same font as the fraudulent
15 page 3. In contrast, the exhibit A that accompanies the 2012 Rhonda Mitchell Trust, exhibit 2 hereto
16 includes a page 13 and page 14 that match the font of the rest of the document.

17 f. A “Memorandum Regarding Distribution Upon Death of Grantor” dated December
18 3, 2012 (the “Zelinski 2012 Memorandum”). Zelinski Exh. 2 at p. 32. The document appears to
19 bear the signature “Rhonda Mitchell” (no “Louise”) and purports to name Ms. Zelinski as the
20 beneficiary of the Trust. The font of the Zelinski 2012 Memorandum appears very similar or
21 identical to page 3 and Exhibit A of the Zelinski Trust.

22 **C. Deborah Zelinski’s Actions Just Before and Just Following Decedent’s Passing**

23 11. Decedent suffered a medical emergency in April of 2020. After she was discharged from
24 the hospital in mid-May, Ms. Bell and Ms. Barco arrived to visit with their mother on May 29,
25 2020. Ms. Zelinski was present in Decedent’s home the entire time Ms. Bell and Ms. Barco were
26 trying to visit with their dying mother, and never left them alone with her. Ms. Zelinski made odd
27 comments to Ms. Bell and Ms. Barco, including that Decedent “doesn’t have the money you think
28 she does.” Ms. Zelinski also revealed to Ms. Bell and Ms. Barco that she was in possession of all of

1 Decedent's jewelry and offered that she might give a piece of Decedent's jewelry to each daughter.
2 Ms. Zelinski showed Ms. Bell and Ms. Barco photos on her phone of the Decedent's jewelry.

3 12. On May 30, 2020 Decedent passed away. Again, Ms. Zelinski did not leave Ms. Bell or
4 Ms. Barco alone long enough for them to check their mother's cabinet to locate the original estate
5 planning documents. After the funeral home picked up the body, Ms. Zelinski locked up
6 Decedent's residence and told Ms. Bell and Ms. Barco she would *try* to find the jewelry she
7 promised to Decedent's daughters the night before. This same day Ms. Bell and Ms. Barco
8 expressed that they wanted to be involved in going through Decedent's possessions and that Ms.
9 Bell would be in town for several weeks. Ms. Zelinski said words to the effect of "okay, I will let
10 you know."

11 13. Ms. Zelinski told Ms. Barco that she was in possession of Decedent's will. Ms. Barco asked
12 Ms. Zelinski to read the will and Ms. Zelinski agreed to let Ms. Bell and Ms. Barco know after she
13 read it.

14 14. On May 31, 2020 Ms. Zelinski sent a text message to Ms. Bell and Ms. Barco that she
15 opened the will and asking if the Decedent's daughters want to see it and go over it. Ms. Bell
16 indicated she did want to see it and asked Ms. Zelinski to call her to go over it. Ms. Zelinski called
17 Ms. Bell and said "you guys have been cut out, but she did leave each of you a shiny silver dollar
18 each." Ms. Barco then texted Ms. Zelinski that Ms. Barco wanted to read the will in person. Ms.
19 Zelinski responded with the thumbs up emoji.

20 15. On information and belief, Ms. Zelinski has given away what Ms. Zelinski calls Decedent's
21 "ugly formal living room furniture."

22 16. In mid-June Ms. Bell asked Ms. Zelinski for information about Decedent's life insurance
23 policy, which Ms. Zelinski has still not provided.

24 17. During the weeks that followed Decedent's death Ms. Bell and Ms. Barco tried to arrange a
25 time to meet Ms. Zelinski to examine the document and get the promised jewelry. Ms. Zelinski
26 cancelled on both occasions, making excuses about why she could not keep the plans.

27 18. Ms. Bell had arranged to stay in Washoe County for three weeks to help with Decedent's
28 affairs, but was not even able to access the residence to go through her mother's things since Ms.

1 Zelinski had the keys and garage code and never provided access to Ms. Bell. After Ms. Bell, Ms.
2 Barco, and Ms. Zelinski left the home with Ms. Zelinski on the day Decedent passed, Ms. Bell was
3 never able to enter the home.

4 19. The Decedent's estate planning documents are believed to have been stored in a cabinet in
5 her bedroom and Ms. Zelinski had access to that cabinet since at least April 5, 2020 when Decedent
6 suffered a medical event, whereas Decedent's daughters did not.

7 20. On June 20, 2020, Ms. Bell and Ms. Barco met Ms. Zelinski for breakfast at Denny's. Ms.
8 Zelinski did not bring the alleged will to show them, did not give them any jewelry, but instead
9 gave them a tub of items, including some family pictures, a flag that was draped over their
10 grandfather's casket, some silverware that had belonged to their great grandmother, and some dog
11 accessories, such as leashes, toys and food. The only document that Ms. Zelinski gave them was
12 their parents' marriage certificate. It was evident that Ms. Zelinski had gone through Decedent's
13 papers herself.

14 21. On July 21, 2020 Ms. Bell emailed Ms. Zelinski again asking for a copy of the will. Ms.
15 Zelinski replied claiming it was with her probate lawyer and that she would email a copy when she
16 got it back. Undersigned counsel questions whether this was accurate given that Ms. Zelinski
17 originally filed this case pro se.

18 22. On July 24, 2020, nearly two months Decedent passed, Ms. Zelinski emailed Ms. Bell a will
19 dated December 3, 2012. Ms. Bell emailed her the copy of the Bell 2012 Will that Ms. Bell had a
20 copy of (attached here to as Exhibit 4), which was different from the version Ms. Zelinski emailed.

21 23. In early August Ms. Zelinski held a garage sale to dispose of the Decedent's personal
22 property.

23 24. Ms. Zelinski may have had the Decedent's property tax records directed to Ms. Zelinski's
24 own home. The Washoe County Assessor's website reflects that the property tax statements for the
25 2130 Frisco Way property owned by Decedent are now mailed to Ms. Zelinski's address: 6826
26 Quantum Ct., Sparks, Nevada 89436.

27 25. Ms. Bell understands that Ms. Zelinski is permitting someone to live in the Decedent's
28 residence. It is unknown if this person is paying rent and, if he is, where the rental monies are being

1 deposited.

2 26. Ms. Zelinski is believed to have been in possession of the Decedent's laptop, checkbook,
3 wallet and purse at all times since approximately April 5, 2020 when Decedent suffered a medical
4 emergency. Ms. Bell believes that Ms. Zelinski had been acting as Decedent's caregiver since at
5 least May 13 of 2020. Additionally, Ms. Zelinski was in possession of the Decedent's laptop and
6 cell phone on and off during the last two weeks of her life and therefore is believed to have had
7 access to Decedent's electronic documents and communications.

8 27. Ms. Bell is not in possession of the original Bell 2012 Will and believes that it is likely in
9 the possession of Deborah Zelinski or that Deborah Zelinski destroyed it. However, Ms. Bell has
10 been in possession of copies of Decedent's key estate planning documents since approximately
11 December 2012 when Decedent provided copies to her, as detailed above.

12 **II. ARGUMENT**

13 **A. The Court Should Deny the Zelinski Petition**

14 28. The Zelinski Petition asks the Court to admit the December 3, 2012 Will attached to her
15 petition at Exhibit 2. Such document is referred to above as the Zelinski 2012 Will to distinguish it
16 from the December 3, 2012 Bell 2012 Will, a copy of which was in Ms. Bell's possession and is
17 attached here to as 4.

18 29. The Zelinski 2012 Will does not appear to have been witnessed; no witness signatures are
19 subscribed on that document. Further, no declarations from witnesses are included with the
20 Petition. The Zelinski 2012 Will cannot be admitted for that reason alone. NRS 133.040; NRS 136.
21 130 et seq.

22 30. Further, Ms. Bell does not believe that the signature on the Zelinski 2012 Will is genuine.
23 Ms. Bell is familiar with her mother's signature, including from reviewing her other estate planning
24 documents, copies of which were in Ms. Bell's possession before Decedent passed. Decedent
25 always signed her name with her middle name, "Louise," on such documents. All of the legitimate
26 signatures of Decedent's appear as "Rhonda Louise Barco" or "Rhonda Louise Mitchell." If the
27 Court declines to deny the Petition for the reason set forth in paragraph 28, then Ms. Bell asks the
28 Court to set a discovery schedule so that she can investigate the discrepancies between the 2012

1 Will and the Zelinski 2012 Will, including as to the signature. At a minimum, examination of the
2 notary book of Ms. Aguirre will be required.

3 **B. The Court Should Order Ms. Zelinski to Lodge the December 3, 2012 Wills**

4 31. NRS 136.060 permits the Court to issue an order requiring that a person produce the will at
5 a time to named in the order.

6 32. There appear to be two last will and testaments dated December 3, 2012. The Court's
7 database reflects that a December 3, 2012 will has been lodged with the Court but it is not clear to
8 Ms. Bell without examining what is in the Court's possession whether the lodged will is the
9 Zelinski 2012 Will or the Bell 2012 Will.

10 33. As the only person who is believed to have had access to the Decedent's original documents
11 at the relevant time, Ms. Zelinski is believed to be in possession of the Bell 2012 Will as well.

12 34. The Court should order Ms. Zelinski to lodge any other original wills she has with the Court.
13 Based on Ms. Zelinski's statements to Decedents daughters, it is believed she may is in possession
14 of additional documents that should be lodged with the Court.

15 35. "Any person having the possession of a will who neglects or refuses to produce it in
16 obedience to such an order may, by warrant from the court, be committed to the county jail, and be
17 kept in close confinement until the person produces the will. The court may make all other
18 necessary orders at chambers to enforce the production of the will." NRS 136.060(2)

19 **C. The 2019 Will Cannot Be Admitted to Probate**

20 36. Ms. Zelinski has not requested that the Court admit the 2019 Will. Even if she had, such
21 document cannot be admitted. While it was purportedly witnessed, no sufficient proof from those
22 witnesses has been presented to the Court. Ms. Bell and Ms. Barco reserve all rights to object to
23 admission of the 2019 Will.

24 **C. Deborah Zelinski Should Not Serve as Personal Representative**

25 37. Ms. Zelinski cannot be appointed as Personal Representative. First, no document
26 nominating her as personal representative has been proved up such that it can be admitted to
27 Probate. Further, she does not even have priority to serve as an administrator in the absence of a
28 probatable last will and testament. NRS 139.040 would actually give Jennifer Barco priority, as

1 she lives in Nevada and is a daughter of Decedent's.

2 38. Second, Ms. Zelinski should not be appointed because she is the proponent of documents
3 that appear to be fraudulent and she violated NRS 138.010(2) before even brining the Petition. That
4 section provides that "[n]o person has any power as a personal representative until he or she
5 qualified, except that, before letters are issued, he or she may pay the funeral charges and take
6 necessary measures for the preservation of the estate." Instead of complying with this statute, Ms.
7 Zelinski sold Decedent's property. Upon information and belief, she intends to keep those proceeds
8 for herself as she does not list them as an asset in her Petition. Not only does such conduct violate
9 NRS 138.010, but, when combined with Ms. Zelinski's hostility and deception towards Decedent's
10 own daughters, Ms. Bell and Ms. Barco submit to the Court that Ms. Zelinski is someone who
11 "lacks integrity." NRS 138.020 permits the Court to refuse to issue letters testamentary where a the
12 nominated person "lacks integrity" or for other compelling reasons. While what conduct "lacks
13 integrity" is not specified by the statute itself or any Nevada caselaw citing to that section, all of the
14 factors at issue here, as explained in detail above, suggest that Ms. Zelinski would not be able to be
15 trusted to faithfully administer the Estate, and should not be appointed. Even putting aside the
16 question of Ms. Zelinski's fraud as to some of the documents attached to her petition at Exhibit 2,
17 Ms. Zelinski has already shown herself to be self-interested by selling Decedent's property before
18 her appointment and, on information and belief, by permitting someone to live in Decedent's real
19 property.

20 **D. The Court Should Appoint A Special Administrator**

21 39. Pursuant to NRS 140.010(1), the Court shall appoint a special administrator if "there is a
22 delay in granting letters testamentary or letters of administration, from any cause".

23 40. The approximate value of the estate is unknown, but is believed to be more than THREE
24 HUNDRED THOUSAND DOLLARS (\$300,000.00).

25 41. The main asset of this Estate is real property located at 2130 Frisco Way in Sparks, Nevada,
26 which is believed to have a value of close to \$400,000. As explained above, Decedent's legitimate
27 documents will have the ultimate legal effect of distributing Decedent's assets to Ms. Bell and to
28 Ms. Barco, the Decedent's two daughters. While Ms. Bell and Ms. Barco are attempting to locate

1 the witnesses and notary to prove up the Bell 2012 Will and disprove the Zelinski 2012 Will, the
2 Decedent's real property is apparently occupied by some third person who has no rights to the
3 Estate under any set of documents. A special administrator is needed to secure and preserve the
4 property for whomever is ultimately found to hold the beneficial interest in the Estate.

5 42. Additionally, it is unknown whether Decedent's automobile, a 2013 Subaru Forester, is
6 being properly preserved.

7 43. Ms. Bell and Ms. Barco requests this Court's order appointing Shawnan Bell along with
8 Jennifer Barco, as Co-Special Administrators.

9 44. Additionally, Ms. Bell and Ms. Barco believe there may a mortgage on the property and a
10 special administrator may need to request this Court authorize payment of the mortgage pursuant to
11 NRS 140.050. Once appointed a special administrator will be in a better position to investigate the
12 status and standing of the mortgage and to market and sell the property, preserving the proceed for
13 the ultimate devisees should a will be admitted to probate.

14 45. Ms. Bell and Ms. Barco request this Court's order appoint them as Co-Special
15 Administrators to allow them access to the real property to secure Decedent's residence and
16 personal belongings and important papers that pertain to her assets that may be found therein as
17 well as to market and sell the real property subject to Court confirmation. Petitioners Bell and Barco
18 further request authority to pursue eviction proceedings against anyone found to be residing therein
19 without a valid leasehold interest, if their voluntary departure from the Estate's real property cannot
20 be promptly arranged. Therefore, Ms. Bell and Ms. Barco ask that the order appointing them
21 expressly provide them with authority to pursue civil eviction remedies against persons found to be
22 in possession of the Estate's real property without any valid lease agreement.

23 46. In the alternative, Ms. Bell and Ms. Barco request the Court appoint a third-party
24 administrator, such as the Washoe County Public Administrator, Brandy Arroyo of Arroyo
25 Consulting, or Guardianship Services of Nevada to preserve and protect the real property and
26 automobile until the Court can determine whether there exists any last will and testament of
27 Decedent's that can be admitted to probate or if, instead, the Decedent died intestate.

28 The undersigned does hereby affirm that the preceding document does not contain the social
Kidder ROA - 318

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FENNEMORE CRAIG
7800 Rancharrah Parkway
Reno, NV 89501
Tel: (775) 788-2200 Fax: (775) 786-1177

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security number of any person.

DATED: December 1, 2020.

FENNEMORE CRAIG, P.C.

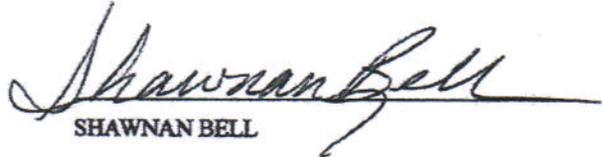
By: /s/ Courtney Miller O'Mara
Courtney Miller O'Mara (SBN 10683)
7800 Rancharrah Parkway
Reno, NV 89511
Tel: (775) 788-2200
Attorneys for Shawnan Bell and Jennifer Barco

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VERIFICATION

SHAWNAN BELL declares under penalty of perjury under the laws of the State of Nevada as follows I have read the foregoing OBJECTION OF BELL AND BARCO TO ZELINSKI PETITION FOR PROBATE OF WILL; COUNTERPETITION TO APPOINT SHAWNAN BELL AND JENNIFER BARCO AS SPECIAL ADMINISTRATORS and that the same is true of my own knowledge, except for matters stated therein on information and belief, and as to those matters, I believe them to be true.

DATED this 30th day of November, 2020.


SHAWNAN BELL

FENNEMORE CRAIG
7600 Rancharrah Parkway
Reno, NV 89501
Tel: (775) 788-2200 Fax: (775) 786-1177

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VERIFICATION

SHAWNAN BELL declares under penalty of perjury under the laws of the State of Nevada as follows I have read the foregoing OBJECTION OF BELL AND BARCO TO ZELINSKI PETITION FOR PROBATE OF WILL; COUNTERPETITION TO APPOINT SHAWNAN BELL AND JENNIFER BARCO AS SPECIAL ADMINISTRATORS and that the same is true of my own knowledge, except for matters stated therein on information and belief, and as to those matters, I believe them to be true.

DATED this 30th day of November, 2020.

Jennifer Barco
JENNIFER BARCO

FENNEMORE CRAIG
7800 Rancharrah Parkway
Reno, NV 89501
Tel: (775) 788-2200 Fax: (775) 786-1177

CERTIFICATE OF SERVICE

I certify that I am an employee of FENNEMORE CRAIG, P.C., and that on this date, pursuant to NRCP 5 (b), I am serving a true copy of the foregoing OBJECTION OF SHAWNAN BELL AND JENNIFER BARCO TO ZELINSKI PETITION FOR PROBATE OF WILL; COUNTERPETITION TO APPOINT SHAWNAN BELL AND JENNIFER BARCO AS SPECIAL ADMINISTRATORS on the parties set forth below by:

	Placing an original or true copy thereof in a sealed envelope placed for collection and mailing in the United States Mail, at Reno, Nevada, postage prepaid, following ordinary business practices
	Certified Mail, Return Receipt Requested
	Via Facsimile (Fax)
	Placing an original or true copy thereof in a sealed envelope and causing the same to be personally Hand Delivered
XX	By Notice of Electronic Filing via the electronic filing system as maintained by the Court Clerk's Office

addressed as follows:

Via Electronic Filing:

Karlon J. Kidder, Esq.
The Kidder Law Group, Ltd.
620 N. Rock Boulevard
Sparks, NV 89431
*Attorney for Petitioner,
Deborah Louise Zelinski*

DATED: December 1, 2020.

/s/ Anne Boessenecker Alley
An employee of Fennemore Craig

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EXHIBIT H

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EXHIBIT H

NOTICES**NRS 155.010 Method of giving notice; notice to certain persons required; court may dispense with notice; proof; waiver of notice.**

1. Except as otherwise provided in this section or a specific statute relating to the kind of notice required or otherwise ordered by the court in a particular instance, a petitioner shall cause notice of the time and place of the hearing of a petition to be given to each interested person and to every other person entitled to notice pursuant to this title or his or her attorney if the person has appeared by attorney or requested that notice be sent to his or her attorney. Notice must be given:

(a) By mailing a copy thereof at least 10 days before the time set for the hearing by certified, registered or ordinary first-class mail addressed to the person being notified at the post office address given in the person's demand for notice, if any, or at his or her office or place of residence, if known, or by personally delivering a copy thereof to the person being notified at least 10 days before the time set for the hearing; or

(b) If the address or identity of the person is not known and cannot be ascertained with reasonable diligence, by publishing at least once a week for 3 consecutive weeks a copy thereof in a newspaper having general circulation in the county where the hearing is to be held, the last publication of which must be at least 10 days before the date set for the hearing.

2. A person who, for the purposes of the matter to be considered at a hearing, is not an interested person is not entitled to notice of that hearing.

3. The court, for good cause shown, may provide for a different method or time of giving notice for any hearing, or may dispense with the notice otherwise required to be given to a person under this title.

4. Proof of the giving of notice must be made on or before the hearing and filed in the proceeding.

5. A person entitled to notice may, in writing, waive notice of the hearing of a petition.

[283:107:1941; 1931 NCL § 9882.283] — (NRS A 1961, 407; 1967, 352; 1969, 95; 1975, 1778; 1977, 273; 1997, 1492; 1999, 2359; 2015, 3534)

NRS 155.020 Method and form for notices.

1. Notice of a petition for the probate of a will and the issuance of letters and the notice to creditors must be given to:

(a) The persons respectively entitled thereto, including the Director of the Department of Health and Human Services, as provided in NRS 155.010; and

(b) The public, including creditors whose names and addresses are not readily ascertainable, by publication on three dates of publication before the hearing, and if the newspaper is published more than once each week, there must be at least 10 days from the first to last dates of publication, including both the first and last days.

2. Every publication required by this section must be made in a newspaper published in the county where the proceedings are pending, but if there is not such a newspaper, then in one having general circulation in that county.

3. The notice of the hearing upon the petition to administer the estate must be in substantially the following form:

EXHIBIT J

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EXHIBIT J

1 Karlon J. Kidder, Esq.
2 Bar No. 11622
3 THE KIDDER LAW GROUP, LTD
4 620 N. Rock Blvd
5 Sparks, NV 89431
6 775-359-1936 Telephone
7 775-359-1992 Facsimile
8 kjk@kidderlawgroup.com
9 Attorney for Petitioner

7 **SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
8 **IN AND FOR THE COUNTY OF WASHOE**

9 In the matter of the Estate of
10 RHONDA LOUISE MITCHELL,
11 Decedent

Case No.: PR20-00518

12 **SUBSTITUTION OF ATTORNEY**

13 DEBORAH ZELINSKI, hereby substitutes herself, pro se, in the above-entitled action in
14 the place and stead of KARLON J. KIDDER, ESQ. and acknowledges that she is responsible for
15 all pending matters and deadlines thereto.

16 DEBORAH ZELINSKI's current address is 6826 Quantum Court, Sparks, NV 89436, his
17 current phone number is (775) 737-3897 and her current e-mail address is
18 debbie48326@hotmail.com.

19 Dated this 19th day of January, 2021.

20 
21 DEBORAH ZELINSKI

1 I, KARLON J. KIDDER, do hereby agree to the substitution of DEBORAH ZELINSKI,
2 pro se, in my place and stead in the above-entitled action.

3 Dated this 19th day of January, 2021.

4 
5 _____

6 KARLON J. KIDDER, ESQ.

7 **AFFIRMATION Pursuant to NRS 239B.030**

8 The undersigned does hereby affirm that the preceding document does not contain the
9 social security number of any person.

10 DATED this 19th day of January, 2021.

11 THE KIDDER LAW GROUP, LTD.

12 
13 _____

14 KARLON J. KIDDER, ESQ.

15 NV Bar ID # 11622

16 620 N. Rock Blvd.

17 Sparks, Nevada 89431

18 (775) 359-1936

19 (775) 359-1992 (facsimile)

20 kjk@kidderlawgroup.com

1
2 **CERTIFICATE OF SERVICE**

3 I HEREBY CERTIFY that a true and correct copy of the foregoing **SUBSTITUTION OF**
4 **ATTORNEY** was sent on January 19, 2021 via EFLEX to the following:

5 COURTNEY MILLER O'MARA

6 /s/ LISA WIRE

7 LISA WIRE
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EXHIBIT K

1 **3370**

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6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
7 **IN AND FOR THE COUNTY OF WASHOE**
8

9 In the Matter of the Estate of

Case No. PR20-00518

10 RHONDA LOUISE MITCHELL,

Dept. No.: PR

11 Deceased.

12 _____/

13 **COMMISSIONER'S ORDER FOR HEARING BY TELECONFERENCE**

14 On January 15, 2021, this Court entered an *Order Appointing Special Co-*
15 *Administrators* in favor of Shawnan Bell and Jennifer Barco. On January 18, 2021,
16 Deborah Zelinski, through counsel Karlon J. Kidder, Esq., filed an *Objection to*
17 *Petition to Appoint Special Administrators*. On January 19, 2021, Deborah Zelinski
18 filed a *Substitution of Attorney*, purportedly substituting herself in proper person in
19 place of counsel Kidder. The *Substitution* is not a proper motion under WDCR
20 23(2)(b), and until a proper substitution of counsel or further court order, counsel
21 Kidder is not relieved as counsel. In order to determine the effect of Ms. Zelinski's
22 various filings on the special administration of this case, a status hearing is
23 necessary.

Kidder ROA - 330

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1 **WHEREFORE, IT IS HEREBY ORDERED** that this matter is set for hearing on
2 **Thursday, February 11, 2021 at 11:00 a.m.** This hearing will be conducted by
3 conference call only. Counsel for the special administrators shall appear. Deborah
4 Zelinski shall appear. Karlon J. Kidder, Esq. shall appear at the hearing unless
5 earlier substituted by licensed counsel, or relieved as counsel by this Court after a
6 proper motion. To access the hearing, use the following dial-in information:

- 7 1. Dial (Toll-Free): 1-877-853-5247
- 8 2. When prompted for a Meeting ID, dial: 219-682-836#
- 9 3. If prompted, do not enter a Participant ID (just dial #).

10 DATED this 22nd day of January, 2021.

11 **IT IS SO RECOMMENDED.**

12 
13 _____
14 PROBATE COMMISSIONER

EXHIBIT L

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EXHIBIT L

Rule 12. Defenses and Objections: When and How Presented; Motion for Judgment on the Pleadings; Consolidating Motions; Waiving Defenses; Pretrial Hearing

(a) Time to Serve a Responsive Pleading.

(1) In General. Unless another time is specified by Rule 4.2(c)(3)(E), this rule, or a statute, the time for serving a responsive pleading is as follows:

(A) A defendant must serve an answer:

(i) within 21 days after being served with the summons and complaint; or

EXHIBIT m

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EXHIBIT m

Rule 1.16. Declining or Terminating Representation.

(a) Except as stated in paragraph (c), a lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if:

- (1) The representation will result in violation of the Rules of Professional Conduct or other law;
- (2) The lawyer's physical or mental condition materially impairs the lawyer's ability to represent the client; or
- (3) The lawyer is discharged.

(b) Except as stated in paragraph (c), a lawyer may withdraw from representing a client if:

(1) Withdrawal can be accomplished without material adverse effect on the interests of the client;

(2) The client persists in a course of action involving the lawyer's services that the lawyer reasonably believes is criminal or fraudulent;

(3) The client has used the lawyer's services to perpetrate a crime or fraud;

(4) A client insists upon taking action that the lawyer considers repugnant or with which the lawyer has fundamental disagreement;

(5) The client fails substantially to fulfill an obligation to the lawyer regarding the lawyer's services and has been given reasonable warning that the lawyer will withdraw unless the obligation is fulfilled;

(6) The representation will result in an unreasonable financial burden on the lawyer or has been rendered unreasonably difficult by the client; or

(7) Other good cause for withdrawal exists.

(c) A lawyer must comply with applicable law requiring notice to or permission of a tribunal when terminating representation. When ordered to do so by a tribunal, a lawyer shall continue representation notwithstanding good cause for terminating the representation.

(d) Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payment of fee or expense that has not been earned or incurred. The lawyer may retain papers relating to the client to the extent permitted by other law.

[Added; effective May 1, 2006.]

1 **CERTIFICATE OF SERVICE**

2 I, Laura Peters, certify that I am a citizen of the United States, over 18 years of age, a
3 resident of Washoe County, and not a party to the within action. I am an employee of the State
4 Bar of Nevada and my business address is 9456 Double R Blvd., Suite B, Reno, Nevada 89521.

5 I hereby certify that I electronically served a copy of the RECORD ON APPEAL,
6 Volumes I & 2, upon Karlon Kidder, Esq. – kjk@kidderlawgroup.com

7 DATED the 31st day of January 2022.

8
9 *Laura Peters*

10 _____
11 Laura Peters, Paralegal
12 Office of Bar Counsel
13 State Bar of Nevada
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