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10/19/2021 3:35 PM
Steven D. Grierson
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Electronically Filed
Oct 19 2021 03:44 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

DISTRICT COURT, FAMILY DIVISION

CLARK COUNTY, NEVADA

STEPHANIE RUBIDOUX,

Plaintiff,

Dist. Ct. No.: D-20-601936-D
Dept.: U

vs.

DANIEL RUBIDOUX,

Defendant.

**AMENDED CASE APPEAL
STATEMENT**

Pursuant to the Nevada Rules of Appellate Procedure 3(f)(3), Plaintiff, Stephanie Rubidoux, (hereinafter referred to as "Plaintiff"), by and through her attorney of record, ALEX GHIBAUDO, ESQ., of the law firm of ALEX B. GHIBAUDO, P.C., and hereby submits his Case Appeal Statement:

1. Appellant filing this Case Appeal Statement is: **STEPHANIE RUBIDOUX;**

Case No.: D-20-601936-D; Caption: Stephanie Rubidoux v. Daniel Rubidoux.

2. Name of the Judge Who Issued the Decision, Judgment, or Order Appealed:



The Honorable Dawn Throne, Eighth Judicial District Court, Family Division
Judge, Dept. U

3. Appellants and the Name and Address of Counsel for each Appellant:

Appellants: Stephanie Rubidoux
Counsel for Appellants: Alex Ghibaud, Esq.
ALEX B. GHIBAUDO, P.C.
197 E. California Ave., Suite 250
Las Vegas, Nevada 89104
P – (702) 978-7090

4. Names and addresses of each of the Respondents and the Address of Counsel
for each Respondent (if the name of a respondent's appellate counsel is not
known, then the name and address of that respondent's trial counsel):

Respondents: Daniel Rubidoux, Esq.
Counsel for Respondents: Nedda Ghandi, Esq.
Ghandi Deeter Blackham
725 S 8th St, Suite 210.
Las Vegas, NV 89101
nedda@ghandilaw.com
P - (702) 878-1115

5. Indicate whether an attorney identified in response to Question 3 or 4 is not
licensed to practice law in the State of Nevada, and if so, whether the District
Court granted that attorney permission to appear under SCR 42 (attach a copy
of any District Court Order granting such permission):

*Appellant believes that all counsel that are referenced above are licensed to
practice law in the State of Nevada.*

6. Indicate whether Appellants were represented by appointed or retained counsel
in the District Court:

Appellant was represented by retained counsel in the district court



1 7. Indicate whether appellant is represented by appointed or retained counsel on
2 appeal:

3 *Yes, appellant is represented by Alex Ghibaud, Esq., counsel filing the*
4 *instant case appeal statement.*

5 8. Indicate whether the District Court granted the Appellants leave to proceed in
6 *forma pauperis*, and if so, the date of the District Court's order granting that
7 leave:

8 *The Appellant did not proceed in forma pauperis in the district court.*

9 9. The date that the proceedings commenced in the District Court:

10 *January 7th, 2020 by complaint for divorce filed by appellant in the district*
11 *court.*

12 10. A brief description of the nature of the action and result in the District Court,
13 including the type of judgment or order being appealed and the relief granted
14 by the District Court:

15 *This is an appeal from a decree of divorce granting the parties joint physical*
16 *and joint legal custody. Appellant/Plaintiff challenges that order, in part,*
17 *because she does not believe that the Respondent/Defendant failed to*
18 *overcome the presumption that he is not fit to have either joint or primary*
19 *physical custody of the minor child. The district court made findings that*
20 *there was clear and convincing evidence that Respondent/Defendant in fact*
21 *committed acts of domestic violence against Appellant/Plaintiff but failed to*
22 *make specific findings of fact that demonstrate the presumption was*
23 *overcome. Rather, the statements made by the district court were entirely in*
24 *the nature of conclusory statements.*

25 11. Indicate whether the case has previously been the subject of an appeal to or
26 original writ proceeding in the Supreme Court or Court of Appeals and, if so,
27 the caption and docket number(s) of the prior proceeding(s):

28 *This case has not been the subject of an appeal.*



12. Indicate whether this appeal involves child custody or visitation:

Yes, this matter involves custody of a minor child.

13. Indicate whether the appeal involves the possibility of settlement:

Appellant believes this case is NOT likely to settle.

DATED this 19th day of October, 2021.

ALEX B. GHIBAUDO, P.C.

By: /s/ Alex B. Ghibaud, Esq.

Alex B. Ghibaud, Esq.
Nevada Bar No.: 010592
Attorney for *Respondent*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of October, 2021, I served a true and correct copy of the foregoing **AMENDED CASE APPEAL STATEMENT**, via the Court designated electronic service, addressed to the following:

Nedda Ghandi, Esq.
nedda@ghandilaw.com

By: /s/ Alex Ghibaud
An Employee of ALEX B. GHIBAUDO, P.C.