

**FILED**

2022 MAR 17 PM 3:40

4th JUDICIAL DISTRICT COURT

CLERK \_\_\_\_\_ DEPUTY JS

**Motion to Appeal  
Motion to Challenge Jurisdiction  
Motion to Demand Dismissal**

Electronically Filed  
Mar 25 2022 11:35 a.m.  
Beth A. Brown  
Clerk of Supreme Court

**Comes now defendant, Silva Hinch, hereafter "Silva", to  
motion for this matter to be taken to appeal before a higher  
judge, motion to challenge Elko County's alleged jurisdiction,  
and to demand dismissal under grounds of miscarriage of  
justice, perjury, abuse of process, deprivation of rights under  
color of law, wrongful imprisonment, conspiracy to alienate,  
contempt of court, kidnapping, custodial interference, child  
abuse, alienation, defamation of character, fraud, and  
converting up physical, medical, emotional, psychological,  
sexual abuse and trafficking, and legal bigomy.**

**Plaintiff, Dusty Jensen, hereafter "Dusty", was granted a  
temporary order granting him full custody for the duration of  
the trial. He has since paraded this order around to say that  
Silva, without permission from the court, fled the state and  
kidnapped the child.**

**Multiple parties have deprived Leon Eric of his rights under  
color of law, and also deprived Silva of her rights under color  
of law. Silva motions for an immediate zoom appearance  
before the judge to present the evidence of such, and to  
present the court with a recording of the court proceedings  
of March 26th, 2021, which proves that Silva had permission  
to return home to the original jurisdiction of Mohave County,  
Arizona or Washington County Utah.**

There is a huge paper trail of their conspiracy to alienate and the fear and harassment campaign they tortured Silva with all summer long, and have perjured courts in two different states. With the egregious nature of these abuses that Elko County have actively participated in for 6 years, and the lack of original jurisdiction, or any jurisdiction, I motion to have the minor child, Leon Eric M R Jensen, born 07/23/2014 in St George, Utah, returned to his home jurisdiction of Mohave County, Arizona. Washington County, Utah may also have claim to jurisdiction. Elko County should be held in extreme prejudice.

Silva would like to submit to evidence exhibits. Some of the exhibits have already been submitted by Dusty or his representation.

Exhibit A is a YouTube link to a video of Judge Kasen ruling from the bench in March, 2021.

Exhibit B is the protection order Silva obtained in Utah.

I am in fear for my life admitting these to public record as Dusty has threatened my life if I tell the truth of what he has done to me and Leon Eric.

Silva would like the attorney fees and legal fees paid by Dusty. Damages need to be calculated, pain, suffering and mental anguish, miscarriage of justice and bigamy should also be taken into account, and any other punitive damages

DR-MD-16-856  
DEPARTMENT 2

FILED

2022 MAR 24 PM 4:36  
ELKO CO DISTRICT COURT

IN THE FOURTH JUDICIAL DISTRICT COURT

CLERK \_\_\_\_\_ DEPUTY Am

OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO

SILVA HINCH,

APPELLANT,

vs.

DUSTY JENSEN,

RESPONDENT.

CASE APPEAL STATEMENT

1. Name of appellant filing this case appeal statement:  
SILVA HINCH
2. Identify the judge issuing the decision, judgment or order appealed from:  
JUDGE ALVIN KACIN
3. Identify each appellant and the name and address of counsel for each appellant:  
SILVA HINCH  
P.O. BOX 193  
LITTLEFIELD, ARIZONA 83432  
  
Or  
  
P.O. BOX 3023  
KINGMAN, ARIZONA 86402
4. Identify each respondent and the name and address of appellant counsel, if known for each respondent (if the name of a respondent's appellate counsel is unknown, indicate as much and provide the name and address of that respondent's trial counsel):  
DUSTY JENSEN  
5240 GUNPOWDER DRIVE  
ELKO, NEVADA 89801

5. Indicate whether any attorney identified above in response to question 3 or 4 is not licensed to practice law in 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): N/A
6. Indicate whether appellant was represented by appointed or retained counsel in the district court: REPRESENTED BY DEBRA AMENS
7. Indicate whether appellant is represented by appointed or retained counsel on appeal: NO
8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave: YES
9. Indicate the date the proceedings commenced in the district court (e.g., date complaint, indictment, information, or petition was filed): DECEMBER 1, 2016
10. Provide a brief description of the nature of the action and result in the district court, including the type of judgment or order being appealed and the relief granted by the district court:  
  
Appellant has filed an appeal regarding:  
ORDERS GRANTING CUSTODY TO DUSTY JENSEN.
11. Indicate whether the case has previously been the subject of an appeal to or original writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the prior proceeding: NO
12. Indicate whether this appeal involves child custody or visitation: YES
13. If this is a civil case, indicate whether this appeal involves the possibility of settlement: DOES NOT APPLY

KRISTINE JAKEMAN, Elko County Clerk

By: 

ANNETTE MARSHALL Deputy Clerk

## Case Summary

---

### ECDC-DRMD-16-856 - JENSEN, DUSTY VS. HINCH, SILVA

Court: ECDC-DRMD-16-856

Agency: Elko County Clerk's Office

Type: Family

CaseID: 16-3129

Status: Reclosed

Received Date: 12/1/2016

Status Date: 2/2/2022

Age: 1939 days    Active Age: 1939 days

---

#### Involvements

KACIN, ALVIN Judge -

JENSEN, DUSTY Plaintiff -

MENDEZ, LISA Plaintiff's Attorney - JENSEN, DUSTY

SHURTZ, MICHAEL Attorney, Inactive -

HINCH, SILVA Defendant -

AMENS, DEBRA Defense Attorney, Inactive - HINCH, SILVA

NO ATTORNEY, Defense Attorney -

#### Name Attributes

For: SILVA HINCH

Name Record Notes (Converted):

mariahc92@gmail.com

Name Record Notes (Converted):

mariahc92@gmail.com

Name Record Source - Name Record Converted  
from JALAN - Court

For: DUSTY JENSEN

Name Record Source - Name Record Converted  
from JALAN - Court

#### Case History

| Date | Event Type Desc                     | Status                                    |
|------|-------------------------------------|---|
|      | Closed - Case Status                |   |
|      | Case Status Change                  |   |
|      | Reopened - Case Status              |   |
|      | Case Status Change                  |   |
|      | Order to Show Cause Hearing - Event | For: 9/30/2020    9:00 AM    Hearing Held |
|      | Bench Trial - Event                 | For: 3/16/2021    9:00 AM    Hearing Held |

## Case Summary

---

|           |   |                |          |              |
|-----------|---|----------------|----------|--------------|
|           | Bench Trial - Event                         | For: 3/24/2021 | 8:30 AM  | Hearing Held |
|           | Reclosed - Case Status                      |                |          |              |
|           | Case Status Change                          |                |          |              |
|           | Reopened - Case Status                      |                |          |              |
|           | Case Status Change                          |                |          |              |
|           | Ex Parte Motion Hearing - Event             | For: 9/2/2021  | 10:30 AM | Hearing Held |
|           | Review Hearing - Event                      | For: 9/9/2021  | 10:30 AM |              |
|           | Reclosed - Case Status                      |                |          |              |
|           | Case Status Change                          |                |          |              |
| 12/1/2016 | Proceedings (Converted) - Event             |                |          |              |
|           | Event Type Code: F17                        |                |          |              |
|           | Event Type Description: FILE OPENED - DC    |                |          |              |
| 12/1/2016 | Proceedings (Converted) - Event             |                |          |              |
|           | Event Type Code: J25                        |                |          |              |
|           | Event Type Description: JUDGE ASSIGNED      |                |          |              |
| 12/1/2016 | Proceedings (Converted) - Event             |                |          |              |
|           | Event Type Code: Q26                        |                |          |              |
|           | Event Type Description: COMPLAINT - DIVORCE |                |          |              |
| 12/1/2016 | Proceedings (Converted) - Event             |                |          |              |
|           | Event Type Code: A57                        |                |          |              |
|           | Event Type Description: AFFID OF            |                |          |              |
|           | Note: CHRISTA LYDINE JENSEN                 |                |          |              |
| 12/1/2016 | Proceedings (Converted) - Event             |                |          |              |
|           | Event Type Code: A57                        |                |          |              |
|           | Event Type Description: AFFID OF            |                |          |              |
|           | Note: DUSTY JENSEN                          |                |          |              |
| 12/1/2016 | Proceedings (Converted) - Event             |                |          |              |
|           | Event Type Code: M10                        |                |          |              |
|           | Event Type Description: MOTION              |                |          |              |
|           | Note: FOR CUSTODY                           |                |          |              |
| 12/1/2016 | Proceedings (Converted) - Event             |                |          |              |
|           | Event Type Code: E06                        |                |          |              |
|           | Event Type Description: EX PARTE MOTION     |                |          |              |

## Case Summary

---

12/1/2016 Proceedings (Converted) - Event  
Event Type Code: S28  
Event Type Description: SUBMISSION OF ORDER  
Note: ORDER SENT TO JUDGE FOR SIGNATURE EX PARTE ORDER  
Action Date: 12/05/2016  
Action Code: R99  
Action Description: RESPONSE/ORDER  
Action Comment: ORD GRANTING MOTION

12/1/2016 Proceedings (Converted) - Event  
Event Type Code: F15  
Event Type Description: FILE CHECKED OUT BY:  
Note: DC 2 for review/signature

12/1/2016 Proceedings (Converted) - Event  
Event Type Code: S36  
Event Type Description: SUMMONS ISSUED  
Note: X2

12/5/2016 Calendared Event (Converted) - Event For: 12/15/2016 9:00 AM  
Event Date: 12/15/2016 09:00  
Event Type Code: EPM  
Event Type Description: EX PARTE MOTION

12/5/2016 Proceedings (Converted) - Event  
Event Type Code: F16  
Event Type Description: FILE CHECKED IN BY:

12/5/2016 Proceedings (Converted) - Event  
Event Type Code: O91  
Event Type Description: ORD GRANTING MOTION  
Note: FOR EX PARTE SOLE CUSTODY, ORDER SETTING HEARING ORDER TO COMPLETE AND FILE  
NRS 125A.385

12/5/2016 ORDER GRANTING EX PARTE MOTION -  
Document

12/7/2016 Proceedings (Converted) - Event  
Event Type Code: D60  
Event Type Description: DECLARATION125A.385  
Note: (FILE CHECKED OUT SENT PLEADING TO DC 2)

12/7/2016 Proceedings (Converted) - Event  
Event Type Code: P54  
Event Type Description: PROOF OF SERVICE  
Note: (FILE CHECKED OUT SENT PLEADING TO DC 2)

## Case Summary

---

12/7/2016 Proceedings (Converted) - Event  
Event Type Code: F15  
Event Type Description: FILE CHECKED OUT BY:  
Note: DC 2 for review/signature

12/14/2016 Proceedings (Converted) - Event  
Event Type Code: S37  
Event Type Description: SUMMONS(S) FILED  
Note: (FILE CHECKED OUT SENT PLEADING TO DC 2)

12/15/2016 Proceedings (Converted) - Event  
Event Type Code: H42  
Event Type Description: HRG - CV STATUS

12/15/2016 Proceedings (Converted) - Event  
Event Type Code: D60  
Event Type Description: DECLARATION125A.385  
Note: filed in open court at 9:28 AM

12/16/2016 Proceedings (Converted) - Event  
Event Type Code: Z06  
Event Type Description: ORD RE: CUSTODY  
Note: TEMPORARY CUSTODY (7 PGS) PLNTF GRANTED TEMP SOLE LEGAL & PRIMARY CUSTODY OF MINOR, SUBJECT TO DEF'S RIGHT TO SUPERVISED VISITATION

12/16/2016 Proceedings (Converted) - Event  
Event Type Code: F16  
Event Type Description: FILE CHECKED IN BY:

12/21/2016 Proceedings (Converted) - Event  
Event Type Code: A49  
Event Type Description: APPL FOR WAIVER-FEES

12/21/2016 Proceedings (Converted) - Event  
Event Type Code: F15  
Event Type Description: FILE CHECKED OUT BY:  
Note: DC 2 for review/signature

12/21/2016 Proceedings (Converted) - Event



## Case Summary

---

Event Type Code: S28  
Event Type Description: SUBMISSION OF ORDER  
Note: ORDER SENT TO JUDGE FOR SIGNATURE ORDER REGARDING WAIVER OF FEES AND COSTS

Action Date: 12/22/2016  
Action Code: R99  
Action Description: RESPONSE/ORDER  
Action Comment: ORD APROV FEES

12/22/2016 ORDER REGARDING WAIVER OF FEES AND  
COSTS - Document

12/22/2016 Proceedings (Converted) - Event  
Event Type Code: F16  
Event Type Description: FILE CHECKED IN BY:

12/22/2016 Proceedings (Converted) - Event  
Event Type Code: Z50  
Event Type Description: ORD WAIVING COSTS  
Note: COPY PLACED IN "H" GENERAL PICK UP BOX @11:03

12/22/2016 Proceedings (Converted) - Event  
Event Type Code: A27  
Event Type Description: ANSWER & COUNTRCLAIM  
Note: COPY PLACED IN "H" GENERAL PICK UP BOX @11:03

12/27/2016 Proceedings (Converted) - Event  
Event Type Code: N13  
Event Type Description: NOTICE OF COMPLETION  
Note: (FILE CHECKED OUT SENT PLEADING TO DC 2)

1/3/2017 Proceedings (Converted) - Event  
Event Type Code: C12  
Event Type Description: CERTIFIED COPY ISSUE  
Note: OF THE ORDER TO DUSTY JENSEN

2/8/2017 Proceedings (Converted) - Event  
Event Type Code: N13  
Event Type Description: NOTICE OF COMPLETION

2/17/2017 Proceedings (Converted) - Event  
Event Type Code: R28  
Event Type Description: REQUEST - MEDIATION

2/23/2017 Proceedings (Converted) - Event

## Case Summary

---

Event Type Code: F15  
Event Type Description: FILE CHECKED OUT BY:  
Note: DC 2 for review/signature

2/23/2017      Proceedings (Converted) - Event  
                  Event Type Code: F16  
                  Event Type Description: FILE CHECKED IN BY:

2/28/2017      Proceedings (Converted) - Event  
                  Event Type Code: N13  
                  Event Type Description: NOTICE OF COMPLETION

3/1/2017        Proceedings (Converted) - Event  
                  Event Type Code: R29  
                  Event Type Description: REQUEST FOR REVIEW  
                  Action Date: 03/14/2017  
                  Action Code: R99  
                  Action Description: RESPONSE/ORDER  
                  Action Comment: ORDER FOR MEDIATION FILED

3/1/2017        Proceedings (Converted) - Event  
                  Event Type Code: F15  
                  Event Type Description: FILE CHECKED OUT BY:  
                  Note: DC 2 for review/signature

3/14/2017      Proceedings (Converted) - Event  
                  Event Type Code: F16  
                  Event Type Description: FILE CHECKED IN BY:

3/14/2017      Proceedings (Converted) - Event  
                  Event Type Code: O12  
                  Event Type Description: ORDER  
                  Note: TO ATTEND MEDIATION AND CHILD ADVOCACY

4/19/2017      Proceedings (Converted) - Event  
                  Event Type Code: L01  
                  Event Type Description: LETTER FROM  
                  Note: DEBRA HEATON-LAMP LMFT

5/3/2017        Proceedings (Converted) - Event  
                  Event Type Code: N12  
                  Event Type Description: NOTICE CHG OF ADDRES

5/3/2017        Proceedings (Converted) - Event

## Case Summary

---

Event Type Code: P54  
Event Type Description: PROOF OF SERVICE  
Note: OF THE NOTICE OF CHNG OF ADRS FILED 5/3/17

1/3/2018      Calendared Event (Converted) - Event      For: 2/6/2018      10:00 AM

Event Date: 02/06/2018 10:00  
Event Type Code: OSC  
Event Type Description: ORDER TO S.C. CIVIL

1/3/2018      Proceedings (Converted) - Event

Event Type Code: Z29  
Event Type Description: ORD SETTING HEARING

1/22/2018      Proceedings (Converted) - Event

Event Type Code: M01  
Event Type Description: MAIL RETURNED  
Note: RETURN TO SENDER SENT TO SILVA HINCH

2/1/2018      Proceedings (Converted) - Event

Event Type Code: F15  
Event Type Description: FILE CHECKED OUT BY:  
Note: DC 2 for review/signature

2/6/2018      Proceedings (Converted) - Event

Event Type Code: F16  
Event Type Description: FILE CHECKED IN BY:

2/6/2018      Proceedings (Converted) - Event

Event Type Code: H40  
Event Type Description: HRG - DC2 CVHRG  
Note: HRG TO SHOW CASE RE: ADVOCATE'S REPORT

5/24/2018      Proceedings (Converted) - Event

Event Type Code: R24  
Event Type Description: REQUEST  
Note: FOR TRIAL  
Action Date: 07/10/2018  
Action Code: R99  
Action Description: RESPONSE/ORDER  
Action Comment: ORD SETTING TRIAL DATE

5/24/2018      Proceedings (Converted) - Event

Event Type Code: F15  
Event Type Description: FILE CHECKED OUT BY:  
Note: DC 2 for review/signature

5/30/2018      Proceedings (Converted) - Event

## Case Summary

---

Event Type Code: F16  
Event Type Description: FILE CHECKED IN BY:

5/30/2018      Proceedings (Converted) - Event  
                    Event Type Code: Z29  
                    Event Type Description: ORD SETTING HEARING

6/14/2018      Calendared Event (Converted) - Event      For: 6/18/2018      1:15 PM  
                    Event Date: 06/18/2018 13:15  
                    Event Type Code: SH  
                    Event Type Description: STATUS HEARING

6/14/2018      Proceedings (Converted) - Event  
                    Event Type Code: F15  
                    Event Type Description: FILE CHECKED OUT BY:  
                    Note: DC 2 for review/signature

6/18/2018      Proceedings (Converted) - Event  
                    Event Type Code: H40  
                    Event Type Description: HRG - DC2 CVHRG

6/19/2018      Proceedings (Converted) - Event  
                    Event Type Code: F16  
                    Event Type Description: FILE CHECKED IN BY:

6/19/2018      Proceedings (Converted) - Event  
                    Event Type Code: Z29  
                    Event Type Description: ORD SETTING HEARING  
                    Note: FOR JULY 9, 2018 @ 1:15 PM

7/3/2018      Calendared Event (Converted) - Event      For: 7/9/2018      1:30 PM  
                    Event Date: 07/09/2018 13:30  
                    Event Type Code: SH  
                    Event Type Description: STATUS HEARING

7/3/2018      Proceedings (Converted) - Event  
                    Event Type Code: F15  
                    Event Type Description: FILE CHECKED OUT BY:  
                    Note: DC 2 for review/signature

7/9/2018      Proceedings (Converted) - Event  
                    Event Type Code: H40  
                    Event Type Description: HRG - DC2 CVHRG

7/9/2018      Calendared Event (Converted) - Event      For: 11/20/2018      9:00 AM

## Case Summary

---

Event Date: 11/20/2018 09:00  
Event Type Code: DT  
Event Type Description: DIVORCE TRIAL

7/10/2018      Proceedings (Converted) - Event  
                  Event Type Code: Z30  
                  Event Type Description: ORD SETTING TRIAL  
                  Note: AND ORD FOR PRETRIAL STATEMENTS

7/10/2018      Proceedings (Converted) - Event  
                  Event Type Code: F16  
                  Event Type Description: FILE CHECKED IN BY:

7/10/2018      Proceedings (Converted) - Event  
                  Event Type Code: F30  
                  Event Type Description: FILE CHECK ACCURACY  
                  Note: FILE CHECKED FOR ACCURACY

10/9/2018      Proceedings (Converted) - Event  
                  Event Type Code: S28  
                  Event Type Description: SUBMISSION OF ORDER  
                  Note: ORDER SENT TO JUDGE FOR SIGNATURE: SHURTZ'S PROPOSED ORDER RE: ADVOCATES'  
                  RECOMMENDATION. COPIES PROVIDED.  
                  Action Date: 10/11/2018  
                  Action Code: R99  
                  Action Description: RESPONSE/ORDER  
                  Action Comment: ORDER FILED

10/10/2018     Proceedings (Converted) - Event  
                  Event Type Code: F15  
                  Event Type Description: FILE CHECKED OUT BY:  
                  Note: DC 2 for review/signature

10/11/2018     Proceedings (Converted) - Event  
                  Event Type Code: F16  
                  Event Type Description: FILE CHECKED IN BY:

10/11/2018     Proceedings (Converted) - Event  
                  Event Type Code: Z06  
                  Event Type Description: ORD RE: CUSTODY  
                  Note: COPIES PLACED IN SHURTZ'S BOX .

10/22/2018     Proceedings (Converted) - Event  
                  Event Type Code: M10  
                  Event Type Description: MOTION

10/22/2018     Proceedings (Converted) - Event

## Case Summary

---

Event Type Code: A57  
Event Type Description: AFFID OF  
Note: AFFIDAVIT OF DUSTY JENSEN

11/2/2018      Proceedings (Converted) - Event  
                  Event Type Code: O11  
                  Event Type Description: OPPOSITION TO MOTION

11/9/2018      Proceedings (Converted) - Event  
                  Event Type Code: T46  
                  Event Type Description: TRIAL STATEMENT

11/9/2018      Proceedings (Converted) - Event  
                  Event Type Code: N49  
                  Event Type Description: NOTE ADDED TO FILE  
                  Note: 5 exhibits submitted by Amber at Michael Shurtz Esq. Office.

11/14/2018     Proceedings (Converted) - Event  
                  Event Type Code: F15  
                  Event Type Description: FILE CHECKED OUT BY:  
                  Note: DC 2 for review/signature

11/18/2018     NOTICE OF ENTRY OF JUDGMENT -  
                  Document

11/19/2018     Proceedings (Converted) - Event  
                  Event Type Code: A10  
                  Event Type Description: AFFID OF RESIDENCY  
                  Note: PLACED IN DC 2 PICKUP BOX @ 3:56 P.M.

11/20/2018     FINDINGS OF FACT, CONCLUSION OF LAW,  
                  AND DECREE OF DIVORCE - Document

11/20/2018     Proceedings (Converted) - Event  
                  Event Type Code: F23  
                  Event Type Description: FIND CON DECR W/HRG  
                  Note: FINDS CONCLUSION DECREE OF DIVORCE WITH HEARING FILED IN OPEN COURT  
                  11/20/18 AT 3:39 P.M. (20 PGS) JOINT LEGAL AND JOINT PHYSICAL CUSTODY OF ONE MINOR  
                  CHILD. HUSBAND TO PAY\$610 PER MO CHILD SUPPORT, NO SPOUSAL SUPPORT, WIFE TO  
                  CONTINUE USE LAST NAME HINCH.

11/20/2018     Proceedings (Converted) - Event  
                  Event Type Code: F16  
                  Event Type Description: FILE CHECKED IN BY:

11/20/2018     Proceedings (Converted) - Event

## Case Summary

---

Event Type Code: H40  
Event Type Description: HRG - DC2 CVHRG

11/27/2018    Proceedings (Converted) - Event  
                    Event Type Code: N42  
                    Event Type Description: NOTICE OF ENTRY  
                    Note: OF JUDGMENT

11/27/2018    Proceedings (Converted) - Event  
                    Event Type Code: W16  
                    Event Type Description: WITHDRAWAL OF ATTY

11/27/2018    WITHDRAWAL OF ATTORNEY- Document

12/6/2018    Proceedings (Converted) - Event  
                    Event Type Code: F30  
                    Event Type Description: FILE CHECK ACCURACY  
                    Note: FILE CHECKED FOR ACCURACY

8/26/2019    Proceedings (Converted) - Event  
                    Event Type Code: C35  
                    Event Type Description: COPIES PREPARED FOR  
                    Note: DUSTY JENSEN OF THE DECREE OF DIVORCE

9/5/2019    MOTION FOR CHANGE OF CUSTODY,  
                    VISITATION, AND ORD CHILD SUPPORT-  
                    Document

9/5/2019    AFFIDAVIT IN SUPPORT OF MOTION FOR  
                    CHANGE OF CUSTODY, VISITATION AND  
                    ORD CHILD SUPPORT - Document

9/5/2019    Proceedings (Converted) - Event  
                    Event Type Code: M37  
                    Event Type Description: MOT TO  
                    Note: FOR CHANGE OF CUSTODY, VISITATION AND OR CHILD SUPPORT

9/5/2019    Proceedings (Converted) - Event  
                    Event Type Code: A57  
                    Event Type Description: AFFID OF  
                    Note: SUPPORT OF MOTION TO CHANGE CUSTODY

9/5/2019    Proceedings (Converted) - Event  
                    Event Type Code: F19  
                    Event Type Description: FILE REOPENED

## Case Summary

---

9/19/2019      OPPOSITION TO MOTION FOR CHANGE OF CUSTODY AND COUNTER MOTION - Document

9/19/2019      Proceedings (Converted) - Event  
                    Event Type Code: O11  
                    Event Type Description: OPPOSITION TO MOTION  
                    Note: FOR CHANGE OF CUSTODY AND COUNTERMOTION

9/20/2019      Proceedings (Converted) - Event  
                    Event Type Code: C35  
                    Event Type Description: COPIES PREPARED FOR  
                    Note: DUSTY JENSEN OF THE OPPOSITION TO MOTION FOR CHANGE OF CUSTODY AND COUNTERMOTION

9/24/2019      REPLY TO OPPOSITION TO MOTION TO MODIFY CHILD CUSTODY AND ORD CHILD SUPPORT - Document

9/24/2019      Proceedings (Converted) - Event  
                    Event Type Code: R19  
                    Event Type Description: REPLY TO OPPOSITION  
                    Note: TO MOTION TO MODIFY CHILD CUSTODY, VISITATION AND OR CHILD SUPPORT

9/30/2019      Proceedings (Converted) - Event  
                    Event Type Code: F15  
                    Event Type Description: FILE CHECKED OUT BY:  
                    Note: DC 2 for review/signature IN THE PLAINTIFFS RELPY TO OPPOSITION THERE IS A REQUEST FOR A COURT HEARING

10/1/2019      Proceedings (Converted) - Event  
                    Event Type Code: F16  
                    Event Type Description: FILE CHECKED IN BY:  
                    Note: W/ NOTE FROM COURT THAT A REQUEST FOR HRG IS NOT A REQUEST FOR REVIEW AND MOTION IS NOT RIPE FOR COURT'S REVIEW.

10/2/2019      REQUEST TO SUBMIT AND REQUEST FOR HEARING - Document

10/2/2019      Proceedings (Converted) - Event



## Case Summary

---

Event Type Code: R31  
Event Type Description: REQUEST - SUBMISSION  
Note: AND REQUEST FOR HEARING MOTION TO MODIFY CUSTODY COPIES PLACED SASE TO AMENS OFFICE  
Action Date: 10/24/2019  
Action Code: R99  
Action Description: RESPONSE/ORDER  
Action Comment: Hearing set for 10/29/19

10/2/2019 Proceedings (Converted) - Event  
Event Type Code: F15  
Event Type Description: FILE CHECKED OUT BY:  
Note: DC 2 for review/signature

10/24/2019 ORDER SETTING HEARING TO SHOW CAUSE  
RE CHILD CUSTODY MEDIATION AND  
ADVOCACY - Document

10/24/2019 Calendared Event (Converted) - Event For: 10/29/2019 2:00 PM  
Event Date: 10/29/2019 14:00  
Event Type Code: SCH  
Event Type Description: SHOW CAUSE HEARING  
Note: SHOW CAUSE HEARING

10/24/2019 Proceedings (Converted) - Event  
Event Type Code: Z29  
Event Type Description: ORD SETTING HEARING  
Note: TO SHOW CAUSE RE: CHILD CUSTODY MEDIATION AND ADVACACY (FILE CHECKED OUT SENT PLEADING TO DC 2)

10/29/2019 Proceedings (Converted) - Event  
Event Type Code: H40  
Event Type Description: HRG - DC2 CVHRG

10/30/2019 ORDER RE CHILD CUSTODY MEDIATION. -  
Document

10/30/2019 Proceedings (Converted) - Event  
Event Type Code: Z03  
Event Type Description: ORD RE:  
Note: MEDIATION

11/5/2019 Proceedings (Converted) - Event  
Event Type Code: F16  
Event Type Description: FILE CHECKED IN BY:

11/5/2019 Proceedings (Converted) - Event

## Case Summary

---

Event Type Code: Z06  
Event Type Description: ORD RE: CUSTODY  
Note: TEMP CUSTODY OF LEONERIC M.R. JENSEN PARTIES HAV JOINT LEGAL AND PHYSICAL CUSTODY

11/5/2019      TEMPORARY ORDER RE CUSTODY OF  
LEONERIC MR JENSEN - Document

2/7/2020      Open - Case Status  
Case status change.

2/7/2020      Open - Case Status  
Case status change.

2/8/2020      Payment Record (Converted) - Case  
Notes  
PAYMENT Name: SHURTZ, MICHAEL  
Payment Date: 12/01/2016  
Amount: 304.00  
Receipt #: 279489  
Fine Type: CLK MARRIAGE DIS FEE  
Payment Type: CHECK  
Entry Person: PECK  
Check#: 7322  
Status: RO  
Note: NEW CASE

2/8/2020      Payment Record (Converted) - Case  
Notes  
PAYMENT Name: JENSEN, DUSTY  
Payment Date: 01/03/2017  
Amount: 5.00  
Receipt #: 279823  
Fine Type: CLK CERTIFICATION 5  
Payment Type: CREDIT CARD  
Entry Person: PECK  
Status: RO  
Note: COPIES AND CERT

2/8/2020      Payment Record (Converted) - Case  
Notes  
PAYMENT Name: JENSEN, DUSTY  
Payment Date: 01/03/2017  
Amount: 4.00  
Receipt #: 279823  
Fine Type: CLK COPY PER PAGE 1  
Payment Type: CREDIT CARD  
Entry Person: PECK  
Status: RO  
Note: COPIES AND CERT

## Case Summary

---

2/8/2020      Payment Record (Converted) - Case  
Notes

PAYMENT Name: JENSEN, DUSTY  
Payment Date: 02/14/2017  
Amount: 5.00  
Receipt #: 280396  
Fine Type: CLK VOTER CD      5  
Payment Type: CASH  
Entry Person: PECK  
Status: RO  
Note: CD

2/8/2020      Payment Record (Converted) - Case  
Notes

PAYMENT Name: JENSEN, DUSTY  
Payment Date: 09/05/2019  
Amount: 25.00  
Receipt #: 289855  
Fine Type: CLK MTN MOD FINL 125  
Payment Type: CREDIT CARD  
Entry Person: FLEURY  
Status: RO

2/8/2020      Payment Record (Converted) - Case  
Notes

PAYMENT Name: JENSEN, DUSTY  
Payment Date: 08/26/2019  
Amount: 20.00  
Receipt #: 289784  
Fine Type: CLK COPY PER PAGE 1  
Payment Type: CREDIT CARD  
Entry Person: PECK  
Status: RO  
Note: COPIES

2/8/2020      Payment Record (Converted) - Case  
Notes

PAYMENT Name: JENSEN, DUSTY  
Payment Date: 09/20/2019  
Amount: 4.50  
Receipt #: 289968  
Fine Type: CLK COPY PER PAGE 1  
Payment Type: CREDIT CARD  
Entry Person: SALAZ  
Note: COPIES PROVIDED

2/8/2020      Exhibit Summary (Converted) - Case  
Notes

## Case Summary

---

Exhibit Type: DOCUMENT  
Descripton: 1- CASE HISTORY  
Long Description: CASE HISTORY OF ALL PLEADINGS FILED  
Voucher Year: 16  
Voucher Number: 57685  
Date Logged: 11/09/2018 13:12  
Logged By: DM  
Stored Location: ENV V  
Quantity: 1  
Type: DO  
Party Name: JENSEN, DUSTY

2/8/2020 Exhibit Summary (Converted) - Case  
Notes

Exhibit Type: DOCUMENT  
Descripton: DOCUMENT  
Long Description: PROTECTIVE ORDER FROM ST GEORGE UTAH (PER JUDGE ENTERED IN CASE  
LEVEL)  
Voucher Year: 16  
Voucher Number: 53731  
Date Logged: 12/19/2016 08:27  
Logged By: AP  
Stored Location: ENV V  
Type: DO  
Party Name: JENSEN, DUSTY VS. HINCH, SILVA

2/8/2020 Exhibit Summary (Converted) - Case  
Notes

Exhibit Type: DOCUMENT  
Descripton: 2- FINANCIAL  
Long Description: PLAINTIFF'S NEW FINANCIAL DISCLOSURE W/ PAYCHECK STUBS  
Voucher Year: 16  
Voucher Number: 57686  
Date Logged: 11/09/2018 13:12  
Logged By: DM  
Stored Location: ENV V  
Quantity: 1  
Type: DO  
Party Name: JENSEN, DUSTY

2/8/2020 Exhibit Summary (Converted) - Case  
Notes

## Case Summary

---

Exhibit Type: DOCUMENT  
Descripton: 3- 401K STMNT  
Long Description: PLAINTIFF'S 401(K) STATEMENT  
Voucher Year: 16  
Voucher Number: 57687  
Date Logged: 11/09/2018 13:13  
Logged By: DM  
Stored Location: ENV V  
Quantity: 1  
Type: DO  
Party Name: JENSEN, DUSTY

2/8/2020 Exhibit Summary (Converted) - Case  
Notes

Exhibit Type: DOCUMENT  
Descripton: 4- BANKRUPTCY  
Long Description: BALANCE OF BANKRUPTCY CASE  
Voucher Year: 16  
Voucher Number: 57688  
Date Logged: 11/09/2018 13:15  
Logged By: DM  
Stored Location: ENV V  
Quantity: 1  
Type: DO  
Party Name: JENSEN, DUSTY

2/8/2020 Exhibit Summary (Converted) - Case  
Notes

Exhibit Type: DOCUMENT  
Descripton: 5- WORK SCHEDUL  
Long Description: PLAINTIFF'S 2019 WORK SCHEDULE  
Voucher Year: 16  
Voucher Number: 57689  
Date Logged: 11/09/2018 13:16  
Logged By: DM  
Stored Location: ENV V  
Quantity: 1  
Type: DO  
Party Name: JENSEN, DUSTY

2/8/2020 Exhibit Summary (Converted) - Case  
Notes

## Case Summary

---

Exhibit Type: DOCUMENT  
Description: 6- ITEMS RESERV  
Long Description: ITEMS RESERVED TO WIFE  
Voucher Year: 16  
Voucher Number: 57721  
Date Logged: 11/20/2018 09:00  
Logged By: DM  
Stored Location: ENV V  
Quantity: 1  
Type: DO  
Party Name: JENSEN, DUSTY

|            |   |             |
|------------|---|-------------|
| 7/29/2020  | COPIES PREPARED FOR - Case Notes<br><br>COPIES PREPARED FOR SILVA HINCH OF THE ORDER FILED 12/05/16 AND THE ORDER FILED 11/05/19, COPIES PLACED IN GENERAL 'H' P/U BOX @2:03, COURT ORDERED FEE WAIVER, NO CHARGE |             |
| 8/12/2020  | ORDER SETTING HEARING TO SHOW CAUSE<br>RE CUSTODY EVALUATION- Document  |             |
| 9/28/2020  | NOTICE OF APPEARANCE MS. MENDEZ -<br>Document<br><br>FOR DUSTY JENSEN<br>FILE CHECKED OUT PLACED IN DC2 P/U BOX   |             |
| 9/30/2020  | 09.30.20 HRG - SHOW CAUSE - Document  |             |
| 10/8/2020  | ORDER SETTING HEARING 03.16.21<br>THROUGH 03.17.21 - Document<br><br>ONE AND A HALF DAY AT 9:00 AM.   |             |
| 10/13/2020 | NOTE ADDED TO FILE - Case Notes<br><br>Emailed copy of Motion filed 09/05/19 to Dusty Jensen at dusty.jensen@live.com.  |             |
| 11/3/2020  | NOTE ADDED TO FILE - Case Notes<br><br>EMAILED COPY OF MINUTES FOR 09/30/20 HEARING TO LISA K. MENDEZ ESQ.  |             |
| 11/24/2020 | AMENDED MOTION TO MODIFY CUSTODY<br>OF MINOR CHILD - Document   |             |
| 12/1/2020  | CERTIFICATE OF MAILING - Document   |             |
| 12/17/2020 | SUBMISSION OF ORDER - STIP & ORD OF<br>DISCOVERY PLAN - Document<br><br>COPIES PROVIDED BY AMENS OFFICE   | Order Filed |
| 12/18/2020 | ORDER ADOPTING STIPULATION RE<br>DEADLINES - Document   |             |

## Case Summary

---

1/20/2021 OPPOSITION TO AMENDED MOTION TO  
MODIFY CUSTODY; AMENDED  
COUNTERMOTION TO MODIFY CUSTODY  
AND COUNTERMOTION FOR THE PUR -  
Document  
FILE CHECKED OUT PLACED IN DC2 P/U BOX

2/9/2021 VOLUME 2 STARTED ON 02.09.2021 -  
Document

2/10/2021 STIPULATION AND ORDER OF DISCOVERY  
PLAN - Document  
COPY PLACED IN AMENS' BOX

3/9/2021 SUBMISSION OF STIPULATION AND ORDER  
TO EXTEND DISCOVERY DEADLINES -  
Document Order Filed  
SUBMITTED BY MENDEZ'S OFFICE. 2 COPIES INCLUDED. CHECKED FILE OUT TO DC 2.

3/10/2021 EX PARTE MOTION FOR EMERGENCY  
CUSTODY OF MINOR CHILD - Document  
PLACED IN DC2'S P/U BOX

3/10/2021 SUBMISSION OF EX PARTE ORDER FOR  
EMERGENCY CUSTODY OF MINOR CHILD -  
Document Order Filed  
ORIG AND THREE COPIES PLACED IN DC2'S  
PICK UP BOX  
RETURNED ORIGINAL AND 3 COPIES BACK TO MENDEZ'S P/U BOX WITH A COPY OF ORDER  
DENYING EX PARTE MOTION

3/10/2021 STIPULATION AND ORDER TO EXTEND  
DISCOVERY DEADLINES - Document  
CONFORMED COPIES PLACED IN MENDEZ'S PICK UP BOX

3/11/2021 REQUEST TO SUBMIT - Document  
PLACED IN DC2 BOX

3/11/2021 ORDER DENYING EX PARTE MOTION FOR  
TEMPORARY SOLE LEGAL AND PRIMARY  
PHYSICAL CUSTODY - Document

3/12/2021 E-MAIL SENT TO SILVA HINCH OF THE ORD  
DENYING FILED 3.11.2021 - Document  
TO SILVAHINCH@GMAIL.COM

3/15/2021 REPLY TO OPPOSITION TO AMENDED  
MOTION TO MODIFY CUSTODY OF MINOR  
CHILD - Document  
OPPOSITION TO COUNTERMOTION TO MODIFY CUSTODY AND COUNTERMOTION FOR THE  
PURPOSE OF RELOCATION; GAVE TO DC2 CLERK

3/16/2021 3.16.21 HRG - BENCH TRIAL - Document

## Case Summary

---

3/17/2021 ORDER VACATING TEMPORARY CUSTODY  
ORDER (ENTERED NOVEMBER 5, 2019) -  
Document  
TEMPORARY ORDERS RE:CUSTODY OF LEONERIC M.R. JENSEN; ORDER RE: SCHOOL  
ENROLLMENT; PLACED IN DC2 BOX

3/24/2021 3.24.21 HRG - BENCH TRIAL - Document

3/25/2021 CERTIFICATE OF SERVICE - Document

3/25/2021 ORDER SETTING CONTINUED HEARING -  
Document  
ORIGINAL PLEADING PLACED IN DC2 P/U BOX @5:14

3/26/2021 3.26.21 HRG - BENCH TRIAL - Document

8/3/2021 SUBMISSION OF ORDER - STIPULATED  
ORDER MODIFYING CHILD CUSTODY,  
VISITATION AND CHILD SUPPORT-  
Document  
COPIES PROVIDED BY MENDEZ OFFICE  
Order Filed

8/10/2021 STIPULATED ORDER MODIFYING CHILD  
CUSTODY, VISITATION AND CHILD SUPPORT  
- Document  
COPIES PLACED IN MENDEZ'S PICKUP BOX

8/23/2021 EX PARTE MOTION FOR ORDER DIRECTING  
DEFENDANT TO RETURN MINOR CHILD TO  
THE STATE OF NEVADA AND PRODUCE  
MINOR CHIL - Document  
PLACED IN DC2 BOX

8/23/2021 SUBMISSION OF ORDER - EX PARTE ORDER  
DIRECTING DEFENDANT TO RETURN MINOR  
CHILD - Document  
No Action Taken  
COPIES PROVIDED BY MENDEZ OFFICE; PLACED IN DC2 BOX (ORDER GRANTING EX PARTE  
RELIEF FILED BY COURT 8/24/2021)

8/23/2021 UNPROCESSED LETTER FROM DUSTY  
JENSEN - Document

8/24/2021 ORDER GRANTING EX PARTE RELIEF -  
Document  
ORDER SETTING HEARING; PLACED IN DC2 BOX

8/25/2021 CERTIFICATE OF MAILING 08.25.21 -  
Document  
PLACED IN DC2 BOX

8/30/2021 PROOF OF SERVICE MOHAVE COUNTY  
SHERIFF'S DEPARTMENT SILVA HINCH-  
Document



## Case Summary

---

PLACED IN DC2 BOX

9/2/2021 09.02.21 HRG - EX PARTE MOTION - Document

9/2/2021 SUPPLEMENTAL PLEADINGS - Document

ARIZONA ORDERS FOR PROTECTION AUGUST 6, 2021 AND AUGUST 23, 2021; PLACED IN DC2 BOX

9/2/2021 ORDER CONTINUING EX PARTE RELIEF;  
ORDER RESETTING HEARING; ORDER FOR  
PRODUCTION OF MINOR CHILD; - Document

ORDER FOR CHRISTA LYDINE JENSEN TO TAKE PHYSICAL CUSTODY OF LEONERIC M.R. JENSEN  
(BORN JULY 23, 2014)  
FILE CHECKED OUT ORDER PLACED IN DC2 P/U BOX

9/9/2021 09.09.21 HRG - CONTINUATION OF EX  
PARTE RELIEF - Document

9/10/2021 MOTION TO WITHDRAW AS ATTORNEY- Document

9/10/2021 AMENDED ORDER CONTINUING EX PARTE  
RELIEF - Document

9/24/2021 REQUEST TO SUBMIT RE MOTION TO  
WITHDRAW AS ATTORNEY- Document

9/27/2021 NOTICE OF ENTRY OF ORDER - Document

STIPULATED ORDER MODIFYING CHILD CUSTODY, VISITATION AND CHILD SUPPORT; PLACED IN  
DC2 BOX

9/29/2021 COPIES PREPARED FOR - Case Notes

EMAILED AMENDED ORDER CONTINUING EX PARTE RELIEF TO SILVAHINCH@GMAIL.COM

9/29/2021 NOTICE OF ENTRY OF ORDER AMENDED  
ORDER CONTINUEING EX PARTE RELIEF - Document

PLACED IN DC2 BOX

10/1/2021 SUBMISSION OF ORDER - ORDER TO  
WITHDRAW AS COUNSEL OF RECORD - Document

Order Filed

COPY PROVIDED BY AMENS OFFICE; PLACED IN DC2 BOX

10/5/2021 ORDER TO WITHDRAW AS COUNSEL OF  
RECORD - Document

COPY PLACED IN AMENS'S PICKUP BOX

## Case Summary

---

|            |   |             |
|------------|---|-------------|
| 11/30/2021 | PLAINTIFF'S MOTION TO MODIFY LEGAL CUSTODY, VISITATION AND FOR PERMANENT SUPERVISED VISITATION- Document  |             |
| 12/1/2021  | AMENDED CERTIFICATE OF SERVICE - Document   |             |
| 1/31/2022  | REQUEST FOR REVIEW RE MOTION TO MODIFY - Document   | Order Filed |
| 2/2/2022   | ORDER GRANTING MOTION TO MODIFY LEGAL CUSTODY,- Document<br>VISITATION AND FOR PERMANENT SUPERVISED VISITATION"; ORDER GRANTING LEAVE TO FILE POINTS AND AUTHORITIES SUPPORTING AN AWARD OF ATTORNEY FEES   |             |
| 2/3/2022   | NOTICE OF ENTRY OF ORDER - ORDER GRANTING MOTION TO MODIFY LEGAL CUSTODY - Document   |             |
| 2/10/2022  | RETURNED MAIL FOR SILVA HINCH- Document<br>ORDER GRANTING "MOTION TO MODIFY LEGAL CUSTODY, VISITATION AND FOR PERMANENT SUPERVISED VISITATION"<br>ORDER GRANTING LEAVE TO FILE POINTS AND AUTHORITIES SUPPORTING AN AWARD OF ATTORNEY FEES  |             |
| 2/11/2022  | RETURNED MAIL - 02.11.22 - Document<br>ORDER ENTERED 02/02/22 - MAILED TO SYLVIA HINCH<br>RETURN TO SENDER - REFUSED  |             |
| 3/17/2022  | SUBMISSION OF MAIL RECEIVED FROM SILVA HINCH ON 3.17.2022 - Document<br>MOTION TO APPEAL<br>MOTION TO CHALLENGE JURISDICTION<br>MOTION TO DEMAND DISMISSAL<br>REC'D AS ONE DOCUMENT, DOCUMENT NOT SIGNED AND NO EXHIBITS ARE ATTACHED.<br>2 COPIES PROVIDED AND A SAS LABEL FROM UPS GROUND |             |
| 3/17/2022  | MOTION TO APPEAL - Document<br>MOTION TO CHALLENGE JURISDICTION; MOTION TO DEMAND DISMISSAL   |             |
| 3/17/2022  | NOTE ADDED TO FILE - Document   |             |
| 3/17/2022  | NOTE ADDED TO FILE, STATEMENT OF CLERK FILING FEES DUE FROM SILVA HINCH - Document  |             |
| 3/24/2022  | CASE APPEAL STATEMENT- Document   |             |

# Case Summary

---

3/24/2022 CLERK'S CERTIFICATION - Document

FILED

2016 DEC 22 AM 11:03

ELKO CO DISTRICT COURT

CLERK \_\_\_\_\_ DEPUTY BL

1 Code No. \_\_\_\_\_  
2 Your Name: Silva Hinch  
3 Address: 430 Westcliff Dr  
4 Springcreek NV  
5 Telephone: 775-388-8705  
6 In Proper Person

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

9 IN AND FOR THE COUNTY OF Elko

11 Dusty Jensen )  
12 Plaintiff(s), )  
13 vs )  
14 Silva Hinch )  
15 Defendant(s). )  
16 \_\_\_\_\_ )

CASE NO.: DR-MD-16-856

DEPT NO.: 1

18 ORDER REGARDING WAIVER OF FEES AND COSTS  
(Filing Fees/Service Only)

19 Upon consideration of \_\_\_\_\_'s Application to  
20 (Plaintiff/Defendant)  
21 Proceed in Forma Pauperis and it appearing that there is not sufficient income, property or  
22 resources with which to maintain the action and good cause appearing therefore:

23 IT IS HEREBY ORDERED that Defendant's 's request to  
24 (Plaintiff/Defendant)  
25 to waive fees and costs is **GRANTED**. Defendant, shall be permitted to  
26 (Plaintiff/Defendant)  
27 proceed In Forma Pauperis with this action as permitted by NRS 12.015. He/she shall proceed  
28 without the prepayment of costs or fees or the necessity of giving security, and the Clerk of  
Court shall file or issue any necessary writ, process, pleading, or paper without charge. The  
Sheriff or other appropriate officer within this State shall make personal service of any necessary

© Nevada Law Help Family Form #2

Revised 01/10/2006

1 writ, pleading, or paper without charge. If this party prevails in this action, the Court shall enter  
2 an order pursuant to NRS 12.015 requiring the opposing party to pay into the Court, within five  
3 (5) days, the costs which would have been incurred by the prevailing party, and those costs must  
4 then be paid as provided by law.  
5

6 **IT IS HEREBY ORDERED** that \_\_\_\_\_'s request to waive  
(Plaintiff/Defendant)  
7 fees and costs is **DENIED** for the following reason:

8 A. \_\_\_\_\_ The party is not indigent.

9 B. \_\_\_\_\_ Other: \_\_\_\_\_  
10

11  
12 DATED this 21 day of December 2016

13   
14 DISTRICT COURT JUDGE

15 Respectfully submitted:

16 (Your signature) Silva Hinch

17 (Your name) Silva Hinch

18 (Address) 430 Westcliff Dr

19 Spring Creek NV 89815

20 (Telephone) 775-388-8765

21 (Check One) ☐ Plaintiff/ ☒ Defendant In Proper Person  
22  
23  
24  
25  
26  
27  
28

///

///

///

///

///

///

///

///

///

1 Case No. DR-MD-16-856

2 Dept. No. 2

FILED

2022 FEB -2 AM 11:34

ELKO CO DISTRICT COURT

CLERK \_\_\_\_\_ DEPUTY 

3  
4  
5  
6 IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT  
7 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO  
8

9  
10 DUSTY JENSEN,

11 Plaintiff,

12 vs.

13 SILVA HINCH,

14 Defendant.  
\_\_\_\_\_ /

**ORDER GRANTING "MOTION TO  
MODIFY LEGAL CUSTODY, VISITATION  
AND FOR PERMANENT SUPERVISED  
VISITATION"**

**ORDER GRANTING LEAVE TO FILE  
POINTS AND AUTHORITIES  
SUPPORTING AN AWARD OF ATTORNEY  
FEES**

15 On November 20, 2018, the court entered a decree of divorce under which it granted the parties  
16 joint legal and physical custody of their minor child, Leon Eric M. R. Jensen (born July 23, 2014).

17 Extensive post-decree litigation has ensued.

18 On August 10, 2021, the court entered an order awarding Plaintiff Dusty Jensen primary physical  
19 custody of Leon Eric with the parties sharing a "hybrid" joint legal custody.

20 On August 23, 2021, Plaintiff filed an ex parte motion for orders awarding him temporary sole  
21 legal and physical custody of Leon Eric and for Defendant Silva Hinch to immediately return Leon Eric to  
22 Nevada. The court promptly entered orders granting ex parte relief.

23 On September 10, 2021, the court entered an amended order continuing ex parte relief. Plaintiff  
24 was awarded temporary sole legal and physical custody of Leon Eric. The order also forbade Defendant  
25 from visiting or contacting Leon Eric until further order of the court.

26 On November 30, 2021, Plaintiff filed a "Motion to Modify Legal Custody, Visitation and for  
27 Permanent Supervised Visitation." Plaintiff seeks orders awarding him sole legal custody of Leon Eric  
28 and modifying visitation such that it is supervised at all times. Further, Plaintiff seeks an award of

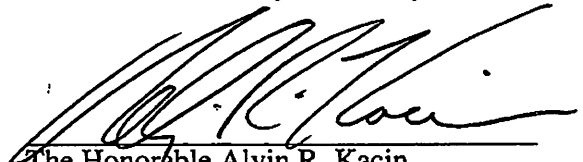
1 attorney fees.

2 Having reviewed the pleadings and papers on file, the court has decided to grant Plaintiff's  
3 motion. However, the court is ordering that Defendant have no right of visitation until further order of the  
4 court. Additionally, the court will give Plaintiff's counsel leave to file points and authorities supporting  
5 an award of attorney fees. See Thomas v. City of North Las Vegas, 122 Nev. 82 (2006); Brunzell v.  
6 Golden Gate Nat'l Bank, 85 Nev. 345 (1969).

7 **Therefore, the court enters the following orders:**

- 8 1. Plaintiff's "Motion to Modify Legal Custody, Visitation and for Permanent Supervised Visitation"  
9 is GRANTED.
- 10 2. Plaintiff shall have sole legal and physical custody of Leon Eric M. R. Jensen (born July 23,  
11 2014).
- 12 3. Defendant shall not have a right of visitation until further order of the court.
- 13 4. Plaintiff shall have leave to file points and authorities supporting an award of attorney fees.

14  
15 DATED this 31 day of January, 2022.

16  
17   
18 The Honorable Alvin R. Kacin  
19 District Judge/Department 2  
20  
21  
22  
23  
24  
25  
26  
27  
28

CERTIFICATE OF SERVICE

Pursuant to Nev. R. Civ. P. 5(b), I certify that I am an employee of Alvin R. Kacin, District Judge, Fourth Judicial District Court, Department 2, and that on this 2 day of ~~January~~ February, 2022, served by the following method of service:

|   |   |
|---|---|
| <input checked="" type="checkbox"/> Regular US Mail | <input type="checkbox"/> Overnight UPS                    |
| <input type="checkbox"/> Certified US Mail          | <input type="checkbox"/> Overnight Federal Express        |
| <input type="checkbox"/> Registered US Mail         | <input type="checkbox"/> Email                            |
| <input type="checkbox"/> Overnight US Mail          | <input type="checkbox"/> Hand Delivery                    |
| <input type="checkbox"/> Personal Service           | <input checked="" type="checkbox"/> Box in Clerk's Office |

a true copy of the foregoing document addressed to:

Lisa Mendez, Esq.  
[Box in Clerk's Office]

Silva Hinch  
3225 East Old Pioneer Road, Unit 2  
Littlefield, AZ 86432  
[Regular US Mail]

Silva Hinch  
PO Box 3023  
Kingman, AZ 86402  
[Regular US Mail]

Silva Hinch  
3533 N Hope Road  
Golden Valley, AZ 86413  
[Regular US Mail]

Luiz Carlos Nunes  
(Name)

[Signature]  
(Signature)



1 Case No. DR-MD-16-856

2 Dept. No. 2

FILED

2016 DEC -5 AM 9:30

ELKO CO DISTRICT COURT

CLERK \_\_\_\_\_ DEPUTY \_\_\_\_\_

3  
4  
5 IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT  
6 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO  
7

8 DUSTY JENSEN,

9 Plaintiff,

**ORDER GRANTING EX PARTE MOTION  
FOR TEMPORARY SOLE CUSTODY**

10 vs.

**ORDER SETTING HEARING**

11 SILVA HINCH,

12 Defendant.  
13 \_\_\_\_\_/

**ORDER TO COMPLETE AND FILE NRS  
125A.385 DECLARATION**

14 This is a divorce action commenced on December 1, 2016, with the filing of a Complaint for  
15 Divorce by Plaintiff Dusty Jensen (Plaintiff) against Defendant Silva Hinch (Defendant). The parties are  
16 the parents of one minor child: Leoneric M. R. Jensen, born November 1, 2014. The same day, Plaintiff  
17 filed a "Motion for Custody," an "Ex-Parte Motion," and supporting affidavits executed by Plaintiff and  
18 his mother, Christa Lydine Jensen. By his ex parte motion, Plaintiff seeks the entry of an order granting  
19 him "primary physical and sole legal custody" of the minor child with supervised visitation for  
20 Defendant.

21 Having reviewed the pleadings and papers on file herein, I find it necessary to grant Plaintiff  
22 temporary sole legal and physical custody of the minor child. I also find it necessary to schedule a  
23 hearing within ten (10) days from the issuance of this order to determine whether that relief should  
24 continue. 4JDCR 12(4). Finally, I find it necessary to grant Plaintiff leave to complete and file an NRS  
25 125A.385 Declaration for Child Custody Proceeding. See Exhibit 1.

26 I also note that Plaintiff's Ex-Parte Motion contains an incorrect case number. The correct case  
27 number is set forth above. See D.C.R. 12(3).

28 ///

1. Ex parte relief is GRANTED.

3. A hearing at which the Court shall consider whether to extend this order is set for

4. Plaintiff shall forthwith personally serve Defendant with a copy of this order, along with the Ex-Parte Motion, and shall file proof of service thereof.

DATED this 4 day of December, 2016.

Page 2 of 3

CERTIFICATE OF MAILING

Pursuant to Nev. R. Civ. P. 5(b), I certify that I am an employee of Alvin R. Kacin, District Judge, Fourth Judicial District Court, Department 2, and that on this 5 day of December, 2016, served by the following method of service:

☐ Regular US Mail  
☐ Certified US Mail  
☐ Registered US Mail  
☐ Overnight US Mail  
☐ Personal Service

☐ Overnight UPS  
☐ Overnight Federal Express  
☐ Fax to # \_\_\_\_\_  
☐ Hand Delivery  
☒ Box in Clerk's Office

a true copy of the foregoing document addressed to:

Michael Shurtz, Chtd.  
[Box in Clerk's Office]

  
Pedro "Kepa" Zugazaga

# Exhibit 1

# Exhibit 1

1 Your name: \_\_\_\_\_

2 Address: \_\_\_\_\_

3 Telephone: \_\_\_\_\_

4 In Proper Person

5  
6 IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT  
7 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO  
8

9  
10 \_\_\_\_\_,  
11 Plaintiff/Petitioner,

Case No. \_\_\_\_\_

Department No. \_\_\_\_\_

12 \_\_\_\_\_,  
13 Defendant/Petitioner/Respondent  
14 \_\_\_\_\_/

15 **NRS 125A.385 DECLARATION FOR CHILD CUSTODY PROCEEDING**  
16

17 **1. Our minor child[ren]'s name[s] and date[s] if birth is/are:**

|          |       |
|----------|-------|
| 18 _____ | _____ |
| 19 _____ | _____ |
| 20 _____ | _____ |
| 21 _____ | _____ |
| 22 _____ | _____ |
| 23 _____ | _____ |
| 24 _____ | _____ |
| 25 _____ | _____ |

2. The present address[es] of our minor child[ren] is/are (list address for every child):

|  |  |
|--|--|
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |

3. Our minor child[ren] have lived at the following places the last 5 years. (Precisely and accurately list the dates of residence at each address for each minor child, starting with the minor child[ren]'s current residence):

|  |  |
|--|--|
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |

1 **4. The names and present address of the persons with whom our minor child[ren]**  
2 **lived during the last 5 years:**  
3  
4

|    |  |  |
|----|--|--|
| 5  |  |  |
| 6  |  |  |
| 7  |  |  |
| 8  |  |  |
| 9  |  |  |
| 10 |  |  |
| 11 |  |  |

12  
13 **5. State whether either party has participated, as a party or witness or in any other**  
14 **capacity, in any other proceeding concerning the custody of or visitation with the**  
15 **minor child[ren] and, if so, identify the court, the case number(s) and the date(s)**  
16 **of the child custody determination(s).**  
17

|    |  |
|----|--|
| 18 |  |
| 19 |  |
| 20 |  |
| 21 |  |
| 22 |  |
| 23 |  |
| 24 |  |
| 25 |  |
| 26 |  |
| 27 |  |
| 28 |  |

1 **6. State whether either party knows of any proceeding that could affect the current**  
2 **proceeding, including proceedings for enforcement and proceedings relating to**  
3 **domestic violence, protective orders, termination of parental rights and adoptions**  
4 **and, if so, identify the court(s), the case number(s) and the nature of the**  
5 **proceeding(s).**  
6  
7

8  
9  
10  
11  
12  
13  
14  
15 **7. State the names and addresses of any person not a party to this proceeding who**  
16 **has physical custody of the minor child[ren] or claims rights of legal custody or**  
17 **physical custody of, or visitation with, the minor child[ren] and the names and**  
18 **addresses of those persons.**  
19  
20



I declare under penalty of perjury that the foregoing is true and correct.

Dated \_\_\_\_\_

Dated \_\_\_\_\_

\_\_\_\_\_  
(Signature of person making this Declaration)

\_\_\_\_\_  
(Signature of person making this Declaration)

Your name: \_\_\_\_\_

Your name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
Telephone: \_\_\_\_\_

\_\_\_\_\_  
Telephone: \_\_\_\_\_

In Proper Person

In Proper Person

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

**RECORD OF COURT PROCEEDINGS**

Present - Honorable ALVIN R KACIN, District Judge,  
and Officers of the Court.

DUSTY JENSEN,

Plaintiff,

Date: 12/15/16

VS.

Case No.: DR-MD-16-0000856

Dept: 2

SILVA HINCH,

Defendant.

Plaintiff Dusty Jensen present and represented by  
Michael Shurtz, Esq.

Defendant Silva Hinch present and not represented.  
Court Clerk, Amanda Peck, present.  
Hearing video recorded

**HEARING ON EX PARTE MOTION FOR CUSTODY**

The Court noted the presence of the parties.

The matter was before the Court for a hearing on the Ex Parte Motion for custody filed on December 5, 2016.

Mr. Shurtz informed the Court that the child is here in Elko and he was here before the Court action was filed in Utah.

Mr. Hinch addressed the Court regarding jurisdiction over Divorce and Custody.

Mr. Shurtz informed the Court of the correct DOB of the Child.

The Court advised Ms. Hinch of her right to an attorney and she waived the same.

Mr. Shurtz advised the Court that Mr. Jensen would like to keep custody of the minor child.

Ms. Hinch advised the Court that she needs custody because she is breastfeeding the child.

The Court **ORDERED** Exhibit A, Temporary Protective Order from Utah be admitted.

Arthur Brown was sworn and examined on direct by Mr. Shurtz. No cross examination.

Witness excused.

Christa Jensen was sworn and examined on direct by Mr. Shurtz. No cross examination.

Witness excused.

Ms. Hinch was sworn and gave her statement. The witness was examined on cross by Mr. Shurtz. Witness excused.

Shawn Sullivan was sworn and examined on direct by Ms. Hinch. No cross examination. Witness excused.

John Smith was sworn and examined on direct by Ms. Hinch. Witness was examined on cross by Mr. Shurtz. Witness excused.

Ms. Hinch informed the Court of the address she is staying at currently.

The Court **ORDERED** that the current Order shall stay in place and supervised visitation shall be ordered.

Court adjourned.

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

**RECORD OF COURT PROCEEDINGS**

Present - Honorable ALVIN R. KACIN, District Judge,  
and Officers of the Court.

DUSTY JENSEN,

Plaintiff,

Date: 02/06/18

VS.

Case No.: DR-MD-16-0856

Dept: 2

SILVA HINCH,

Defendant.

Plaintiff present and represented by  
Michael Shurtz, Esq.

Defendant present and In Pro Per.  
Court Clerk, Darla Malotte, present.  
Hearing video recorded.

**HEARING TO SHOW CAUSE REGARDING  
ADVOCATE'S REPORT**

Court convened at 10:28 a.m.

The Court noted the presence of the parties.

This was the date and time set by the Court for a hearing to Show Cause Regarding the Advocate's Report.

The Court made a record of the case and noted that it received the advocate's recommendation and noted the parties had reached an agreement regarding their one minor child. The Court inquired if there was any reason not to adopt the advocate's recommendation.

Mr. Schurtz had no objection to the advocate's recommendation.

Ms. Hinch had no objection to the advocate's recommendation.

The Court noted the parties agreed to Joint Legal and Physical Custody and further noted the custody visitation agreement and inquired of any issues regarding the divorce.

Mr. Shurtz advised a Joint Petition had been sent to Ms. Hinch.

Ms. Hinch advised that she received the Joint Petition on Sunday February 4, 2018.

Mr. Shurtz advised that Ms. Hinch did not agree that she was responsible for half the medical costs not covered by insurance.

Ms. Hinch advised she had medical coverage and each party should be responsible for their own policies.

The Court advised Ms. Hinch that the issue was regarding unreimbursed medical expenses.

Mr. Shurtz advised that Ms. Hinch placed the child on Medicaid and she was not paying for the service.

Mr. Jensen advised that the child had medical insurance coverage through his employer and he pays \$310.00 per month.

Ms. Hinch advised that she was expecting to begin employment that provided medical insurance and presented further explanation.

The Court inquired regarding Medicaid and discussed medical insurance coverage, deviations for child support and offsets for medical insurance.

The Court inquired of Ms. Hinch where she applied for employment.

Ms. Hinch advised that she had an interview appointment with Wendy's and they provided insurance for shift managers.

The Court inquired if there were any further issues to address.

Ms. Hinch requested additional time to review the joint petition that she just received.

Mr. Shurtz advised that the property issues were mostly resolved.

Mr. Shurtz advised that Ms. Hintz had not filed an Answer to the Complaint for Divorce.

The Court advised that an Answer was filed December 22, 2016 and a copy would be provided.

The Court **ADOPTED** the Advocate's Recommendation.

The Court advised the parties that if the parties reach an agreement then a Joint Petition could be submitted for the Courts signature.

The Court commended the parties in reaching an agreement regarding the advocate's recommendation.

Court adjourned at 10:39 a.m.

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

**RECORD OF COURT PROCEEDINGS**

Present - Honorable ALVIN R. KACIN, District Judge,  
and Officers of the Court.

DUSTY JENSEN,

Plaintiff,

Date: 06/18/18

VS.

Case No.: DR-MD-16-0856

Dept: 2

SILVA HINCH,

Defendant.

Plaintiff present and represented by  
Michael Shurtz, Esq.  
Defendant present and In Pro Per.  
Court Clerk, Darla Malotte, present.  
Hearing video recorded.

**STATUS HEARING**

Court convened at 1:25 p.m.

The Court noted the presence of the parties.

This was the date and time set by the Court for a Status hearing.

The Court made a record of the case and noted the parties were to submit a joint petition for divorce and now a trial date was being requested.

Mr. Shurtz advised that several draft divorce decrees had been sent to Ms. Hinch and she was not agreeing and had not signed. Mr. Shurtz advised that there was no real property at issue and the matter regarding child custody had been settled.

Ms. Hinch advised that she was seeking counsel and advised the first weekend of this month Mr. Jensen went out of state with the child without her permission.

The Court inquired regarding resolution of the divorce.

Ms. Hinch advised of issues of personal property being given away.

The Court inquired if she still wished to proceed with the divorce.

Ms. Hinch confirmed that she wished to proceed with the divorce.

Mr. Shurtz advised that he would provide a copy of the draft divorce decree to Ms. Hinch and further advised that the advocate's report had been adopted.

The Court advised exchange copies of the joint petition with any changes to be made and if the parties were unable to resolve the matter then another hearing would be held in a couple of weeks. Ms. Hinch addressed the issue of Mr. Jensen traveling out of state with their child without her permission.

The Court noted the Advocate's recommendation had been adopted.

Mr. Shurtz advised that there was not order adopting the recommendation.

Ms. Hinch advised of concerns with communication.

The Court **ORDERED** the parties to contact the other party of any travel outside of Elko County.

The Court advised the parties of the importance of communication for co-parenting.

Ms. Hinch requested that her parents were requesting visitation for two weeks this summer.

The Court advised that the appropriate motions would need to be filed.

Court adjourned at 1:41 p.m.

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

**RECORD OF COURT PROCEEDINGS**

Present - Honorable ALVIN R. KACIN, District Judge,  
and Officers of the Court.

DUSTY JENSEN,

VS.

Plaintiff,

Date: 07/09/18

Case No.: DR-MD-16-0856

Dept: 2

SILVA HINCH,

Defendant.

---

Plaintiff present and represented by  
Michael Shurtz, Esq.

Defendant present and In Pro Per.  
Court Clerk, Darla Malotte, present.  
Hearing video recorded.

**STATUS HEARING**

Court convened at 1:26 p.m.

The Court noted the presence of the parties.

This was the date and time set by the Court for a Status hearing.

The Court noted at the last status hearing held the parties had discussed filing a joint petition for divorce and were close to settling this matter.

Mr. Shurtz advised that a draft of the Joint Petition had been sent to Ms. Hinch who would not sign due to some questions. Mr. Shurtz advised that he had spoken with Michelle Rodriguez regarding possibly mediating the property settlement.

The Court inquired of Ms. Hinch regarding not signing the proposed Joint Petition.

Ms. Hinch advised that she did not understand the document fully and had spoken with Legal Aid and was waiting for a returned call for an appointment.

The Court advised that this matter would be set for a trial.



Mr. Shurtz requested half a day be set aside for trial. Mr. Shurtz advised that the custody portion of the case had been resolved.

The Court advised the parties to speak with the Judicial Assistant to schedule a trial date.

The Court inquired of any discovery issues.

Mr. Shurtz advised that there were no discovery issues.

The Court advised that it would issue its standard pretrial order.

Court adjourned at 1:31 p.m.

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

**RECORD OF COURT PROCEEDINGS**

Present - Honorable ALVIN R. KACIN, District Judge,  
and Officers of the Court.

DUSTY JENSEN,

Plaintiff,

Date: 11/20/18

VS.

Case No.: DR-MD-16-0856

Dept: 2

SILVA HINCH,

Defendant.

Plaintiff present and represented by  
Michael Shurtz, Esq.

Defendant present and In Pro Per.  
Court Clerk, Darla Malotte, present.  
Hearing video recorded.

**DIVORCE TRIAL**

Court convened at 9:08 a.m.

The Court noted the presence of the parties.

This was the date and time set by the Court for a Divorce Trial on a Complaint for Divorce filed December 1, 2016.

The Court made a record of the pleadings on file and noted that Ms. Hinch had not filed a pretrial statement as previously ordered.

Ms. Hinch apologized and advised of information that was needed as suggested by Nevada Legal Service regarding a 401k that was not provided.

The Court inquired regarding discovery.

Mr. Shurtz advised that Mr. Jensen did not have a prior 401k statement from Coach and attempts for settlement were not accepted by Ms. Hinch.

Ms. Hinch presented further statement regarding the division of property.

Mr. Shurtz presented a statement regarding personal property.

Ms. Hinch confirmed that she wished to proceed with the divorce trial.

Mr. Shurtz presented a statement of the list of division of property and agreed that Ms. Hinch retain the Thunderbird vehicle, and presented a statement of the list that was marked as Plaintiff's Exhibit 6 and presented it to the Court for review.

Ms. Hinch advised that she agreed to the list.

Mr. Shurtz presented further statement regarding division of property and assets and advised that Mr. Jensen had a 401k through Barrick in the amount of \$768.06, and further advised of a bankruptcy debt from July 2017 in the amount of \$11,798.00 and requested that each party be responsible for half, no spousal support, joint physical custody, and Mr. Jensen to continue to pay child support. Mr. Shurtz advised that there was no current child support order and Mr. Jensen had just recently began employment at Barrick Mine in August 2018 and advised that he agrees to waive child support arrears and Mr. Jensen to claim the child for taxes on even years and Ms. Hinch to claim the child on odd years. Mr. Shurtz advised that Mr. Jensen was requesting visitation on his days off.

Ms. Hinch advised that she was currently unemployed.

Mr. Shurtz placed the proposed visitation agreement on the record.

Ms. Hinch agreed that John Reynolds, kna: Jewel Reynolds, was no longer in contact.

Mr. Shurtz requested a provision for out of state travel.

Ms. Hinch requested to remain on the week on and week off schedule due to child care expenses.

Mr. Jensen advised that his parents were willing to provide child care at no costs.

The Court advised Ms. Hinch that she was not employed at this time and any requests for changes could be made by filing the proper motion for change of custody visitation.

The Court advised the parties to exercise custody and to be available to exercise custody on their scheduled visitation time.

Ms. Hinch presented a statement regarding seeking employment.

The Court and the parties discussed the visitation schedule further.

Mr. Shurtz provided a copy of Mr. Jensen's 2019 employment schedule.

The parties agreed to no spousal support and no attorney fees.

Mr. Jensen was sworn and the Court inquired of liquid assets.

Mr. Jensen advised that he had one 401k account that began August 2018 with Barrick and had no other liquid assets.

Ms. Hinch had no further questions. Witness excused.

The parties agreed to that Ms. Hinch would obtain her personal property today.

Mr. Shurtz offered Plaintiff's Exhibit 6, Property Division List, for admission.

There being no objection, the Court **ORDERED** Plaintiff's Exhibit 6 admitted.

The Court canvassed the parties regarding the agreement placed on the record.

Ms. Hinch advised that she would notify Mr. Shurtz regarding the use of her last name.

The Court discussed the agreement further.

The parties both advised that they agreed with the settlement placed on the record.

Mr. Shurtz advised that he would prepare the Decree.

Ms. Hinch was sworn and advised that she agreed with the terms of the settlement.

The Court **ORDERED** the parties to return at 3:00 p.m. to finalize the settlement.

Court recessed at 10:05 a.m.

Court reconvened at 3:36 p.m.

The Court noted the presence of the parties.

The Court noted it was presented a Finding of Fact and Conclusion of Law, and Decree of Divorce of Divorce that was agreed upon by the parties. The Court signed the Decree and it was filed in open court.

Court adjourned at 3:39 p.m.

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

**RECORD OF COURT PROCEEDINGS**

Present - Honorable ALVIN R. KACIN, District Judge,  
and Officers of the Court.

DUSTY JENSEN,

VS.

Plaintiff,

Date: 10/29/19

Case No.: DR-MD-16-0856

Dept: 2

SILVA HINCH,

Defendant.

Plaintiff present and In Pro Per.  
Defendant present and represented by  
Deborah M. Amens, Esq.  
Court Clerk, Darla Malotte, present.  
Hearing video recorded.

**HEARING ON MOTION**

Court convened at 2:41 p.m.

The Court noted the presence of the parties.

This was the date and time set by the Court for a hearing on a Motion for Change of Custody, Visitation and/or Child Support filed September 5, 2019 by Mr. Jensen.

The Court noted the parties had one minor child and a divorce was entered November 20, 2018 and further noted that Ms. Hinch filed an Opposition to the Motion on September 19, 2019.

The Court noted the Motion was to change visitation schedule and custody would remain the same. The Court inquired if there were any reasons why this matter should not proceed with Mediation and Advocacy.

Ms. Amens had no objection to proceeding with Mediation.

Mr. Jensen had no objection to attending Mediation.

The Court advised the parties regarding Mediation.

Ms. Amens requested that Mr. Jensen pay the cost for Mediation.

The Court and the parties discussed income and the cost of Mediation.

Mr. Jensen agreed to pay three quarters of the cost for Mediation.

The Court **ORDERED** Ms. Hinch to pay one quarter of the cost of Mediation and Mr. Jensen to pay three quarter of the cost of Mediation.

Mr. Jensen advised that he was pays \$610.00 per month in child support and advised that he had no other children and was residing in Elko.

Ms. Hinch advised that she also resides in Elko.

Ms. Amens discussed some issues regarding communication that needed to be addressed in Mediation.

Ms. Amens requested the parties use Talking Parents to preserve communication between the parties before entering Mediation.

The Court advised that the use of Talking Parents would be included in the order.

The parties discussed a stipulated temporary child custody schedule while attending mediation.

The Court **ORDERED** the stipulated temporary custody schedule as agreed upon by the parties. The Court **FURTHER ORDERED** there to be no disparaging remarks including by a third person in the presence of the child.

The Court advised the parties to discuss telephonic visitation during mediation.

Court adjourned at 3:16 p.m.

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

**RECORD OF COURT PROCEEDINGS**

Present - Honorable ALVIN R. KACIN, District Judge,  
and Officers of the Court.

DUSTY JENSEN,

Plaintiff,

Date: 09/30/20

VS.

Case No.: DR-MD-16-856

Dept: 2

SILVA HINCH,

Defendant.

Plaintiff present and represented by  
Lisa Mendez, Esq.

Defendant present and represented by  
Debra M. Amens, Esq.

Court Clerk, Darla Malotte, present.  
Hearing video recorded.

**SHOW CAUSE HEARING**

Court convened at 9:13 a.m.

The Court noted the presence of the parties.

This was the date and time set by the Court for a show cause hearing.

The Court made a record of the case and noted that the parties were ordered to attend mediation and the mediator, Michelle Rodriguez, informed the court that mediation was not successful. The Court advised that this hearing was scheduled to show cause why the parties should not proceed with a custody evaluation.

Ms. Amens presented a statement and advised that the parties had not reached an agreement and requested week on week off visitation.

Ms. Mendez presented a statement regarding alienation and concerns of allegations made by Ms. Hinch of sexual abuse. Ms. Mendez presented further statement and requested to proceed with advocacy with Janell Anderson.

The Court addressed its concerns regarding alienation.

Ms. Amens presented a statement opposing alienation by Ms. Hinch.

Ms. Mendez presented a statement regarding Ms. Hinch restricting telephone call visitation.

Ms. Amens presented further statement

The Court **ORDERED** telephonic visitation for Mr. Jensen during his night shifts from 6:30 p.m. until 6:50 p.m. and telephonic visitation during Mr. Jensen's day shifts from 7:00 p.m. until 7:30 p.m.

The Court noted the stipulation by the parties and advised Counsel to submit an order for signature.

Ms. Mendez addressed concerns of Ms. Hinch telling the child that they were moving to Las Vegas Nevada.

The Court discussed the matter of moving and **ORDERED** Ms. Hinch to refrain from discussing moving with the child or discussing moving with others in the presence of the child.

Ms. Amens advised that Ms. Hinch was willing to attend advocacy.

The Court admonished the parties regarding alienation of the child.

Ms. Mendez requested that the child attend counseling with Barbara Stohl.

Ms. Amens had no objection to the child attending counseling if Ms. Hinch would be able to discuss a background to Ms. Stohl.

Ms. Mendez had no objection to Ms. Hinch to be able to discuss matters with the counselor.

Ms. Mendez requested the parties not proceed with advocacy and requested a hearing be scheduled.

The Court advised that it would dispense with a child evaluation and advised counsel to exchange discovery.

Ms. Mendez requested 60 days to exchange discovery and requested one day set aside for trial.

The Court advised that discovery cut off dates be 60 days prior to the hearing and advised that any modifications to the motion should be filed in 75 days prior to the hearing and any response would be filed 60 days prior to the hearing.

The Court advised the parties that they would be contacted by the Judicial Assistant to schedule a trial date with 1 ½ days to be set aside for trial.

Court adjourned at 9:41 a.m.



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

**RECORD OF COURT PROCEEDINGS**

Present - Honorable ALVIN R. KACIN, District Judge,  
and Officers of the Court.

DUSTY JENSEN,

Plaintiff,

Date: 03/16/2021 – 03/17/2021

VS.

Case No.: DR-MD-16-856

Dept: 2

SILVA HINCH,

Defendant.

Plaintiff present and represented by  
Lisa Mendez, Esq.

Defendant present and represented by  
Debra Amens, Esq.

Court Clerk, Annette Apodaca, present.  
Hearing video recorded.

**BENCH HEARING**

**Day 1 – March 16, 2021**

Court convened at 9:16 a.m.

The Court noted the presence of the parties.

This was the date and time set by the Court for a bench trial.

The Court made a record of the case and inquired of witnesses present.

Ms. Mendez advised she had Dusty Jensen, Silva Hinch, Eliza Chantry, Anne Andreozzi, Gretchen Lutes, Candice Tournahu, Jill Phillips, Colleen Thompson, Nathaniel Bradford, Bridgette Gilboy, CVS Pharmacy for records only, and Rene Crouch as witnesses.

Ms. Amens advised that she had Brayden Potter, Theo Christensen, Janell Anderson, Catherine Heartmen, and David White as witnesses.

The Court invoked the rule of exclusion and admonished the witnesses present and they were excused from the courtroom.

Nathanial Bradford was sworn and examined on direct examination by Ms. Mendez.

Ms. Mendez offered Plaintiff's Exhibit 2, Elko Police Department Incident Report Dated 2/3/2021 in regards to 1/30/21, for admission.

There being no objection, the Court **ORDERED**, Plaintiff's Exhibit 2, Elko Police Department Incident Report Dated 2/3/2021 in regards to 1/30/21, admitted.

Ms. Mendez continued direct examination. Ms. Amens examined the witness on cross examination. Redirect by Ms. Mendez. Recross by Ms. Amens. Witness excused.

Colleen Thompson was sworn and examined on direct examination by Ms. Mendez.

Ms. Mendez offered Plaintiff's Exhibit 1, Records from Colleen Thompson at Elko Family Wellness Center, for admission.

There being no objection, the Court **ORDERED**, Plaintiff's Exhibit 1, Records from Colleen Thompson at Elko Family Wellness Center, admitted.

Ms. Mendez continued direct examination of the witness. Ms. Amens examined the witness on cross examination. Redirect by Ms. Mendez. Recross by Ms. Amens. Witness excused.

Court recessed at 10:35 a.m.

Court reconvened at 10:45 a.m.

The Court noted the presence of the parties.

Jill Phillips was sworn and examined on direct examination by Ms. Mendez. Ms. Amens examined the witness on cross examination.

Court recessed for the lunch hour at 11:55 a.m.

Court reconvened at 1:05 p.m.

The Court noted the presence of the parties.

Ms. Amens continued cross examination of the witness. Redirect by Ms. Mendez. Witness excused.

Ms. Mendez offered Plaintiff's Exhibit 5, Communication records in regards to speech therapy for Leon Eric, for admission.

There being no objection, the Court **ORDERED**, Plaintiff's Exhibit 5, Communication records in regards to speech therapy for Leon Eric, admitted.

Anne Andreozzi was sworn and examined on direct examination by Ms. Mendez.

Ms. Mendez offered Plaintiff's Exhibit 7, Nurse notes and communications from Grammar #2 School in regards to Leon Eric, and Plaintiff's Exhibit 24, Grammar #2 Office Visit Notes, for admission.

There being no objection, the Court **ORDERED** Plaintiff's Exhibit 7, Nurse notes and communications from Grammar #2 School in regards to Leon Eric, and Plaintiff's Exhibit 24, Grammar #2 Office Visit Notes, admitted.

Ms. Mendez continued direct examination of the witness. Ms. Amens examined the witness on cross examination. Redirect by Ms. Mendez. Recross by Ms. Amens. Witness excused.

Candice Tournahu was sworn and examined on direct examination by Ms. Mendez.

Ms. Mendez offered Plaintiff's Exhibit 15, Student withdrawal sheet from Grammar #2, for admission.

There being no objection, the Court **ORDERED**, Plaintiff's Exhibit 15, Student withdrawal sheet from Grammar #2, admitted.

Ms. Mendez continued direct examination of the witness.

Court recessed at 3:01 p.m.

Court reconvened at 3:18 p.m.

The Court noted the presence of the parties and reminded the witness she was under oath.

Ms. Mendez continued direct examination of the witness.

Ms. Mendez offered Plaintiff's Exhibit 14, Truancy notice from Grammar #2 in regards to Leon Eric, for admission.

There being no objection, the Court **ORDERED** Plaintiff's Exhibit 14, Truancy notice from Grammar #2 in regards to Leon Eric, admitted.

Ms. Amens examined the witness on cross examination.

Ms. Amens offered Defendant's Exhibit HH, Attendance records 2020-2021 0522-0523, for admission.

There being no objection the Court **ORDERED** Defendant's Exhibit HH, Attendance records 2020-2021 0522-0523, admitted.

Ms. Amens continued cross examination of the witness. Redirect by Ms. Mendez. Recross by Ms. Amens. Witness excused.

Gretchen Lutes was sworn and examined on direct examination by Ms. Mendez.

Court recessed for the evening at 4:59 p.m.

**Day 2– March 17, 2021**

Court convened at 8:15 a.m.

The Court noted the presence of the parties and reminded the witness she is under oath.

Ms. Mendez continued direct examination of Gretchen Lutes.

Ms. Mendez offered Plaintiff's Exhibit 10, Recent School Records of Leon Eric and Attendance Reports, for admission.

There being no objection, the Court **ORDERED**, Plaintiff's Exhibit 10, Recent School Records of Leon Eric and Attendance Reports, admitted.

Ms. Amens examined the witness on cross examination.

Ms. Amens offered, Plaintiff's Exhibit V, Communication between parents and teacher regarding live meetings attendance, for admission.

There being no objection, the Court **ORDERED**, Plaintiff's Exhibit V, Communication between parents and teacher regarding live meetings attendance, admitted.

Court recessed at 9:11 a.m.

Court reconvened at 9:25 a.m.

Ms. Amens continued cross examination of the witness. Redirect by Ms. Mendez. No recross. Witness excused.

Ms. Amens offered Defendant's Exhibit II, Communication between parents and teacher regarding live meetings (2), for admission.

There being no objection, the Court **ORDERED**, Defendant's Exhibit II, Communication between parents and teacher regarding live meetings (2), admitted.

Bridgette Gilboy was sworn and examined on direct examination by Ms. Mendez. Ms. Amens examined the witness on cross examination. No redirect. Witness excused.

The Court advised it did know the witness, Rene Crouch personally and further advised it could be impartial to Ms. Crouch's testimony.

The parties had no objection to the Court hearing Ms. Crouch's testimony.

Rene Crouch was sworn and examined on direct examination by Ms. Mendez. Ms. Amens examined the witness on cross examination. No redirect. Witness excused.

Court recessed at 10:16 a.m.

Court reconvened at 10:33 a.m.

The Court noted the presence of the parties.

Dusty Jensen was sworn for examination.

Ms. Mendez advised that the parties agreed and stipulated to admit Plaintiff's 3, Elko Police Department Incident Report dated 1/25/21 in regards to 1/15/21, Plaintiff's Exhibit 4, Records from Northeastern Nevada Regional Hospital for Leon Eric Jensen, Plaintiff's Exhibit 8, Aspen Quick Care Notes from visit on 2/25/21, Defendant's Exhibit A, Renown Medical Records for minor child, Defendant's Exhibit B, Simon Family Medicine records for minor child, Defendant's Exhibit E, Lab Corp results from 01/17/21, Defendant's Exhibit F, Information on Oxcarbazepine medication, Defendant's Exhibit H, ECSD Variance form filled out by Plaintiff, and Defendant's Exhibit JJ, Attendance records for Leon Jensen dated 03/17/2021.

Ms. Amens concurred.

There being no objection, the Court **ORDERED**, Plaintiff's 3, Elko Police Department Incident Report dated 1/25/21 in regards to 1/15/21, Plaintiff's Exhibit 4, Records from Northeastern Nevada Regional Hospital for Leon Eric Jensen, Plaintiff's Exhibit 8, Aspen Quick Care Notes from visit on 2/25/21, Defendant's Exhibit A, Renown Medical Records for minor child, Defendant's Exhibit B, Simon Family Medicine records for minor child, Defendant's Exhibit E, Lab Corp results from 01/17/21, Defendant's Exhibit F, Information on Oxcarbazepine medication, Defendant's Exhibit H, ECSD Variance form filled out by Plaintiff, and Defendant's Exhibit JJ, Attendance records for Leon Jensen dated 03/17/2021

Ms. Amens advised she did not have any objections to Plaintiff's Exhibit 22, Records: Aspen Quick Care Treatment Notes and Plaintiff's Exhibit 23, Records: Aspen Quick Care Patient Verification Form, being admitted.

Ms. Mendez examined Dusty Jensen on direct examination.

Ms. Mendez offered Plaintiff's Exhibit 12, Court minutes from hearing 9/30/2020, for admission.

Ms. Amens objected to the admittance of Plaintiff's Exhibit 12, Court minutes from hearing 9/30/2020.

The Court overruled the objection and **ORDERED**, Plaintiff's Exhibit 12, Court minutes from hearing 9/30/2020, admitted.

Ms. Mendez continued direct examination of the witness.

Ms. Mendez offered Plaintiff's Exhibit 9, Social Media Posts from Silva Hinch, for admission.

There being no objection, the Court **ORDERED**, Plaintiff Exhibit 9, Social Media Posts from Silva Hinch, admitted.

Ms. Mendez continued direct examination of the witness.

Ms. Mendez offered Plaintiff's Exhibit 16, Ex Parte Motion filed on 3/10/21, for admission.

There being no objection, the Court **ORDERED**, Plaintiff's Exhibit 16, Ex Parte Motion filed on 3/10/21, admitted.

Ms. Mendez continued direct examination of the witness.

Court recessed for the lunch hour at 11:57 a.m.

Court reconvened at 1:25 p.m.

The Court noted the presence of the parties and further advised Mr. Jensen he was still under oath.

Ms. Mendez continued direct examination of the witness.

Ms. Mendez offered Plaintiff's Exhibit 37, CVS Pharmacy prescription records, and Plaintiff's Exhibit 38, CVS Pharmacy prescription records with signatures, for admission.

There being no objections, the Court **ORDERED**, Plaintiff's Exhibit 37, CVS Pharmacy prescription records, and Plaintiff's Exhibit 38, CVS Pharmacy prescription records with signatures, admitted.

Ms. Mendez continued direct examination of the witness.

Ms. Mendez offered Plaintiff's Exhibit 29, Talking Parents: Medications, for admission.

There being no objections, the Court **ORDERED**, Plaintiff's Exhibit 29, Talking Parents: Medications, admitted.

Ms. Mendez continued direct examination of the witness.

Ms. Mendez offered Plaintiff's Exhibit 6, Records from Simon Family Medicine for visit 8/20/2020 in regards to Leon Eric, for admission.

Ms. Amens objected to the admittance of Plaintiff's Exhibit 6, Records from Simon Family Medicine for visit 8/20/2020 in regards to Leon Eric.

The Court overruled the objection and **ORDERED** Plaintiff's Exhibit 6, Records from Simon Family Medicine for visit 8/20/2020 in regards to Leon Eric, admitted.

Ms. Mendez continued direct examination of the witness.

Ms. Mendez offered Plaintiff's Exhibit 23, Records: Aspen Quick Care Patient Verification Form.

There being no objection, the Court **ORDERED**, Plaintiff's Exhibit 23, Records: Aspen Quick Care Patient Verification Form, admitted.

Ms. Mendez continued direct examination of the witness.

Ms. Mendez offered Plaintiff's Exhibit 32, Talking Parent: Confirming appointments, for admission.

There being no objection, the Court **ORDERED**, Plaintiff's Exhibit 32, Talking Parent: Confirming appointments, admitted.

Ms. Mendez continued direct examination of the witness.

Ms. Mendez offered Plaintiff's Exhibit 17, Updated Talking Parents: Communications (1), for admission.

There being no objection, the Court **ORDERED**, Plaintiff's Exhibit 17, Updated Talking Parents: Communications (1), admitted.

Ms. Mendez continued direct examination of the witness.

Ms. Mendez offered Plaintiff's Exhibit 18, Talking Parents communication regarding counseling 2/4/21 and 2/5/21, for admission.

There being no objection, the Court **ORDERED**, Plaintiff's Exhibit 18, Talking Parents communication regarding counseling 2/4/21 and 2/5/21, admitted.

Ms. Mendez continued direct examination of the witness.

The Court inquired of counsel to continue the hearing into next and further advised counsel to speak with the Judicial Assistant and get a date set for next week. The Court advised it would be making a decision on temporary custody and school enrollment today.

Court recessed at 2:53 p.m.

Court reconvened at 3:05 p.m.

The Court noted the presence of the parties.

Silva Hinch was sworn and examined on direct examination by Ms. Amens. Ms. Mendez examined on cross examination. Redirect by Ms. Amens. Recross by Ms. Mendez. Witness excused.

The Court noted it had previously denied the ex parte motion for orders granting Mr. Jensen sole legal and primary physical custody of the child and inquired if there was any further argument.

Ms. Mendez presented argument.

Ms. Amens presented argument.

The Court **ORDERED** Dusty Jensen to have temporary sole legal and primary custody of the Leoneric Jensen.

The Court **FURTHER ORDERED** Leoneric Jensen to attend Grammar #2 Elementary School.  
Court adjourned at 3:55 p.m.



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

**RECORD OF COURT PROCEEDINGS**

Present - Honorable ALVIN R. KACIN, District Judge,  
and Officers of the Court.

DUSTY JENSEN,

Plaintiff,

Date: 03/24/21

VS.

Case No.: DR-MD-16-856

Dept: 2

SILVA HINCH,

Defendant.

Plaintiff present and represented by  
Lisa Mendez, Esq.

Defendant present and represented by  
Debra Amens, Esq.

Court Clerk, Annette Apodaca, present.  
Hearing video recorded.

**BENCH TRIAL**

**Day 3 -March 24, 2021**

Court convened at 8:42 a.m.

The Court noted the presence of the parties.

This was the date and time set by the Court for a bench trial.

The Court made a record of the case.

The Court reminded Dusty Jensen he was under oath.

Ms. Mendez continued direct examination of Dusty Jensen.

Ms. Mendez offered Plaintiff's Exhibit 39, ECSD Student Transfer Request, for admission.

There being no objection, the Court **ORDERED**, Plaintiff's Exhibit 39, ECSD Student Transfer Request, admitted.

Ms. Mendez continued direct examination of Dusty Jensen.

Ms. Amens offered Defendant's Exhibit T, Advocacy Report, for admission. There being no objection, the Court **ORDERED**, Defendant's Exhibit T, Advocacy Report, admitted.

Ms. Amens examined Dusty Jensen on cross examination.

Ms. Amens offered Defendant's Exhibit Z, Parent's Shared Calendar, for admission. There being no objection, the Court **ORDERED**, Defendant's Exhibit Z, Parent's Shared Calendar, admitted.

Ms. Amens continued cross examination of the witness.

Ms. Amens offered Defendant's Exhibit Q, Golden Health Records, for admission. There being no objection, the Court **ORDERED**, Defendant's Exhibit Q, Golden Health Records, admitted.

Ms. Amens continued cross examination of the witness.

Court recessed at 10:16 a.m.

Court reconvened at 10:34 a.m.

The Court noted the presence of the parties and reminded Dusty Jensen he was still under oath.

Ms. Amens continued cross examination of the witness.

Court recessed at 11:55 a.m.

Court reconvened at 1:03 p.m.

The Court noted the presence of the parties.

Ms. Amens advised that Christa Jensen needed to leave at 2:00 p.m. to take the minor child to a dentist appointment and requested that Christa Jensen be called as the next witness before continuing cross examination of Dusty Jensen.

Christa Jensen was sworn and examined on direct examination by Ms. Amens. Ms. Mendez examined the witness on cross examination. Redirect by Ms. Amens. No recross. Witness excused.

Dusty Jensen resumed the witness stand.

The Court reminded Mr. Jensen he was under oath.

Ms. Amens continued cross examination of the witness.

Ms. Amens offered Plaintiff's Exhibit 31, Anthem Insurance Claims: Medications, for admission.

There being no objections, the Court **ORDERED**, Plaintiff's Exhibit 31, Anthem Insurance Claims: Medications, admitted.

Ms. Amens continued cross examination of the witness. Redirect by Ms. Mendez.

Court recessed at 2:07 p.m.

Court reconvened at 2:17 p.m.

Ms. Amens offered, Defendant's Exhibit KK, Psychological Evaluation of Silva Hinch and Defendant's Exhibit LL, Laura Nielsen PsyD Curriculum Vitae for admission.

There being no objection the Court **ORDERED**, Defendant's Exhibit KK, Psychological Evaluation of Silva Hinch and Defendant's Exhibit LL, Laura Nielsen PsyD Curriculum Vitae for admission, admitted.

Ms. Amens advised that Defendant's Exhibit KK, Psychological Evaluation of Silva Hinch, was a confidential exhibit and requested it be sealed in an envelope.

Laura Neilsen was sworn and examined on direct examination by Ms. Amens. Ms. Mendez examined the witness on cross examination. No redirect. Witness excused.

Dusty Jensen resumed the stand and was examined on redirect by Ms. Mendez.

Court recessed at 2:52 p.m.

Court reconvened at 3:42 p.m.

The Court noted the presence of the parties.

Ms. Mendez continued examination of the witness on redirect. Recross by Ms. Amens. Witness excused.

Eliza Chantry was sworn and examined on direct examination by Ms. Mendez. Ms. Amens examined the witness on cross examination. No redirect. Witness excused.

Ms. Amens called Braydon Potter as her next witness.

The Court and counsel discussed scheduling a day later this week to continue the hearing.

Braydon Potter was sworn and examined on direct examination by Ms. Amens.

The Court and counsel discussed continuing the bench trial on Friday.

Court recessed at 4:47 p.m.

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

**RECORD OF COURT PROCEEDINGS**

Present - Honorable ALVIN R. KACIN, District Judge,  
and Officers of the Court.

DUSTY JENSEN,

Plaintiff,

Date: 03/26/21

VS.

Case No.: DR-MD-16-856

Dept: 2

SILVA HINCH,

Defendant.

---

Plaintiff present and represented by  
Lisa Mendez, Esq.

Defendant present and represented by  
Debra Amens, Esq.

Court Clerk, Annette Apodaca, present.  
Hearing video recorded.

**BENCH TRIAL**  
**Day 4 – March 26, 2021**

Court convened at 11:43 a.m.

The Court noted the presence of the parties.

This was the date and time set by the Court for a continued bench trial.

The Court made a record of the case and noted that the parties had spoken with counsel and had come to an agreement to resolve the matter.

The parties agreed that the parties had come to an agreement on all issues.

Ms. Mendez placed the terms of the agreement on the record.

The Court canvassed the parties regarding the agreement.

Ms. Amens advised that Ms. Hinch requested to make a statement.

Silva Hinch addressed the Court.

Court adjourned at 12:41 p.m.

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

**RECORD OF COURT PROCEEDINGS**

Present - Honorable ALVIN R. KACIN, District Judge,  
and Officers of the Court.

DUSTY JENSEN,

Plaintiff,

Date: 09/02/21

VS.

Case No.: DRMD-16-856

Dept: 2

SILVA HINCH,

Defendant.

Plaintiff present and represented by

Lisa K. Mendez, Esq.

Defendant not present and represented by

Debra M. Amens, Esq.

Court Clerk, Darla Malotte, present.

Hearing video recorded.

**EX PARTE MOTION**

Court convened at 10:34 p.m.

The Court noted the presence of the parties.

This was the date and time set by the Court for a hearing on an Ex Parte Motion for Order Directing Defendant to Return Minor Child to the State of Nevada and Produce Minor Child Before the Court filed August 23, 2021.

The noted that a Stipulated Order Modifying Child Custody, Visitation and Child Support was filed August 10, 2021 and an Order Granting Ex Parte Relief was filed August 24, 2021 for Ms. Hinch to return the child to State of Nevada. The Court advised that Proof of Service was filed indicating that Ms. Hinch was personally served copies.

Ms. Amens advised that the last communication she had with Ms. Hinch was last week and had discussed the order that she needed to appear and to return the child within 48 hours of service of the order. Ms. Amens advised that she received a text of a photo this morning from Ms. Hinch.

The Court noted that Ms. Hinch had been served on August 27, 2021.

Ms. Amens advised that the child had not been returned and Ms. Hinch was not answering her phone.

The Court advised that Ms. Hinch was not following the order and was absconding.

Ms. Mendez advised that Ms. Hinch had filed two temporary protective orders in Arizona and alleged abuse from 2016 and a temporary protective order hearing was scheduled for tomorrow in Arizona regarding dissolution of the protective order and Mr. Jensen had an attorney in Arizona for the hearing. Ms. Mendez requested an order for Mr. Jensen's mother, Krista Jensen, be allowed to pick up child and presented a statement regarding concerns of the hearing tomorrow in Arizona.

The Court discussed the Arizona protective order and granted the request for Krista Jensen be allowed to pick up the child in Arizona.

Ms. Mendez requested there be no contact by Ms. Hinch with the child and requested that any visitation by Ms. Hinch be supervised.

The Court granted the request and **ORDERED** Mr. Jensen be granted sole legal and physical custody of the parties one minor child and there be no contact by Ms. Hinch with the minor child and any visitation be supervised.

Ms. Mendez advised that Mr. Jensen would be filing a police report in Arizona tomorrow and if the child could not be located then a request for an amber alert would be requested. Ms. Mendez requested a bench warrant be issued for Ms. Hinch.

Ms. Amens submitted the matter

The Court **ORDERED** a bench warrant be issued for the arrest of Silvia Hinch.

The Court advised that another hearing would be scheduled requiring Ms. Hinch be required to appear.

Ms. Amens advised that she would be filing a motion to withdrawal as attorney in the matter.

The Court advised that if Ms. Hinch appeared and returned the child and returns custody to Mr. Jensen then it would withdraw the warrant.

The Court **ORDERED** a hearing be scheduled next week and advised that an order would be entered requiring Ms. Hinch to appear with the child.

The Court advised that it would prepare the orders including issuing a bench warrant.  
Ms. Mendez advised that copies of the Arizona protective order would be filed.  
Court adjourned at 11:01 a.m.

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

**RECORD OF COURT PROCEEDINGS**

Present - Honorable ALVIN R. KACIN, District Judge,  
and Officers of the Court.

DUSTY JENSEN,

Plaintiff,

Date: 09/09/21

VS.

Case No.: DRMD-16-856

Dept: 2

SILVA HINCH,

Defendant.

Plaintiff present and represented by

Lisa K. Mendez, Esq.

Defendant not present and represented by

Debra M. Amens, Esq.

Court Clerk, Darla Malotte, present.

Hearing video recorded.

**CONTINUATION HEARING - EX PARTE MOTION**

Court convened at 10:32 a.m.

The Court noted the presence of the parties.

This was the date and time set by the Court for a continuation hearing on an Ex Parte Motion for Order Directing Defendant to Return Minor Child to the State of Nevada and Produce Minor Child Before the Court filed August 23, 2021.

Ms. Amens advised that she would be filing a motion to withdrawal as counsel.

The Court noted that the parties' one minor child was present in the courtroom.

The Court made a record of the case and noted a hearing was held on September 2, 2021 and an order was entered for continuation of the ex parte relief and order for production for minor child and order for Christa Jensen to take physical custody of the minor child and transport the child from Arizona back to Elko.

The minor child was excused from the courtroom.



Ms. Mendez advised that Mr. Jensen was present for a hearing that was held in Kingman Arizona and the temporary protective order was dissolved. Ms. Mendez requested that the ex parte order continue and there be no contact by Ms. Hinch and advised that a permanent motion for legal and physical custody and possibly supervised contact.

The Court noted the last order entered was temporary and if an indefinite order was requested then an appropriate motion needed to be filed.

Ms. Amens had nothing further.

The Court advised that it would enter a final temporary order continuing the ex parte relief and noted that Mr. Jensen would be filing a motion.

Ms. Mendez and Mr. Jensen presented statement regarding picking up the child in Arizona. Ms. Mendez confirmed that the Arizona protective order was fully dissolved and the Arizona court recognized that it did not have jurisdiction. Ms. Mendez advised that Ms. Hinch had enrolled the child in school in Arizona and now the child was attending school in Elko since returning.

Ms. Mendez advised that she would be filing a motion within the next two weeks.

Court adjourned at 10:43 a.m.

PGM ID-EXEXIPS  
DATE 3/24/2022

ELKO COUNTY COURT SYSTEM  
EXHIBIT DATA FOR:

PAGE 1

JENSEN, DUSTY

DRMD160000856-001

| EXHIBIT #       | EXHIBIT DESCRIPTION                  | LOCATE | LOGGED   | BY | DISP |
|-----------------|--------------------------------------|--------|----------|----|------|
| 1- TRL 11/20/18 | CASE HISTORY OF ALL PLEADINGS FILED  | ENV V  | 11/09/18 | DM |      |
| 2- TRL 11/20/18 | PLAINTIFF'S NEW FINANCIAL DISCLOSURE | ENV V  | 11/09/18 | DM |      |
| 3- TRL 11/20/18 | PLAINTIFF'S 401(K) STATEMENT         | ENV V  | 11/09/18 | DM |      |
| 4- TRL 11/20/18 | BALANCE OF BANKRUPTCY CASE           | ENV V  | 11/09/18 | DM |      |
| 5- TRL 11/20/18 | PLAINTIFF'S 2019 WORK SCHEDULE       | ENV V  | 11/09/18 | DM |      |
| 6- TRL 11/20/18 | ITEMS RESERVED TO WIFE               | ENV V  | 11/20/18 | DM | E    |

| Number | Description  | Location                   | Marked Dt | Admitted Dt |
|--------|--|----------------------------|-----------|-------------|
| A      | RENOWN MEDICAL RECORDS FOR MINOR CHILD                                       | Elko County Clerk's Office | 3/16/2021 | 3/17/2021   |
| B      | SIMON FAMILY MEDICINE RECORDS FOR MINOR CHILD                                | Elko County Clerk's Office | 3/16/2021 | 3/17/2021   |
| C      | TALKING PARENTS COMMUNICATION 10/29/19-3/8/21 0453, 0454-0467                | Elko County Clerk's Office | 3/16/2021 |             |
| D      | ELKO COUNTY SCHOOL RECORDS FOR MINOR CHILD                                   | Elko County Clerk's Office | 3/16/2021 |             |
| E      | LAB COPR RESULTS FROM 01/17/21   | Elko County Clerk's Office | 3/16/2021 | 3/17/2021   |
| F      | INFORMATION ON OXCARBAZEPINE MEDICATION                                      | Elko County Clerk's Office | 3/16/2021 | 3/17/2021   |
| G      | DENTAL RECORDS FOR MINOR CHILD   | Elko County Clerk's Office | 3/16/2021 |             |
| H      | ECSD VARIANCE FORM FILLED OUT BY PLAINTIFF                                   | Elko County Clerk's Office | 3/16/2021 | 3/17/2021   |
| I      | QUARTER 2 COMMENTS FOR LEON ERIC   | Elko County Clerk's Office | 3/16/2021 |             |
| J      | 2020-2021 REPORT CARD  | Elko County Clerk's Office | 3/16/2021 |             |
| K      | SCHOOL GROWTH CHART OF LEON ERIC   | Elko County Clerk's Office | 3/16/2021 |             |
| L      | CHECK IN/OUT CHROME BOOK FROM DEFENDANT                                      | Elko County Clerk's Office | 3/16/2021 |             |
| M      | PRESCRIPTIONS FROM SMITHS FOR LEON ERIC                                      | Elko County Clerk's Office | 3/16/2021 |             |
| N      | PRESCRIPTIONS FROM CVS FOR LEON ERIC   | Elko County Clerk's Office | 3/16/2021 |             |
| O      | VISIT SUMMARY FROM DR. HEARTMAN  | Elko County Clerk's Office | 3/16/2021 |             |
| P      | ASPEN QUICK CARE - LAB REPORT  | Elko County Clerk's Office | 3/16/2021 |             |
| Q      | GOLDEN HEALTH RECORDS  | Elko County Clerk's Office | 3/16/2021 | 3/24/2021   |
| R      | LETTER FROM UNIVERSITY OF HEALTH   | Elko County Clerk's Office | 3/16/2021 |             |
| S      | PRIMARY CHILDREN'S DISCHARGE SUMMARY   | Elko County Clerk's Office | 3/16/2021 |             |
| T      | ADVOCACY REPORT  | Elko County Clerk's Office | 3/16/2021 | 3/24/2021   |
| U      | SCHOOL RECORDS FROM PLAINTIFF NOT BATESTAMPED                                | Elko County Clerk's Office | 3/16/2021 |             |
| V      | COMMUNICATION BETWEEN PARENTS AND TEACHER REGARDING LIVE MEETINGS ATTENDANCE | Elko County Clerk's Office | 3/16/2021 | 3/17/2021   |
| W      | EMAIL FROM PRINCIPAL CANDICE TOURNAHU  | Elko County Clerk's Office | 3/16/2021 |             |
| X      | EMAIL FROM STRATUS DAD CANCELLING EMERGENCY EEG ON 03/09/21                  | Elko County Clerk's Office | 3/16/2021 |             |
| Y      | EMAIL FROM CANDICE TOURNAHU REGARDING SIGNING OUT CHROME BOOK FOR LEON ERIC  | Elko County Clerk's Office | 3/16/2021 |             |
| Z      | PARENT'S SHARED CALENDAR   | Elko County Clerk's Office | 3/16/2021 | 3/24/2021   |
| 01     | RECORDS FROM COLLEEN THOMPSON AT ELKO FAMILY WELLNESS CENTER                 | Elko County Clerk's Office | 3/16/2021 | 3/16/2021   |
| 02     | ELKO POLICE DEPARTMENT INCIDENT REPORT DATED 2/3/2021 IN REGARDS TO 1/30/21  | Elko County Clerk's Office | 3/16/2021 | 3/16/2021   |
| 03     | ELKO POLICE DEPARTMENT INCIDENT REPORT DATED 1/25/21 IN REGARDS TO 1/15/21   | Elko County Clerk's Office | 3/16/2021 | 3/17/2021   |
| 04     | RECORDS FROM NORTHEASTERN NEVADA REGIONAL HOSPITAL FOR LEON ERIC JENSEN      | Elko County Clerk's Office | 3/16/2021 | 3/17/2021   |
| 05     | COMMUNICATION RECORDS IN REGARDS TO SPEECH THERAPY FOR LEON ERIC             | Elko County Clerk's Office | 3/16/2021 | 3/16/2021   |

|    |   |                            |           |           |
|----|---|----------------------------|-----------|-----------|
| 06 | RECORDS FROM SIMON FAMILY MEDICINE FOR VISIT ON 8/20/2020 IN REGARDS TO LEON ERIC | Elko County Clerk's Office | 3/16/2021 | 3/17/2021 |
| 07 | NURSE NOTES AND COMMUNICATIONS FROM GRAMMAR #2 SCHOOL IN REGARDS TO LEON ERIC     | Elko County Clerk's Office | 3/16/2021 | 3/16/2021 |
| 08 | ASPEN QUICK CARE NOTES FROM VISIT ON 2/25/21                                      | Elko County Clerk's Office | 3/16/2021 | 3/17/2021 |
| 09 | SOCIAL MEDIA POSTS FROM SILVA HINCH   | Elko County Clerk's Office | 3/16/2021 | 3/17/2021 |
| 10 | RECENT SCHOOL RECORDS OF LEON ERIC AND ATTENDANCE REPORTS                         | Elko County Clerk's Office | 3/16/2021 | 3/17/2021 |
| 11 | TALKING PARENTS MESSAGES FOR THE PARENT'S OF LEON ERIC                            | Elko County Clerk's Office | 3/16/2021 |           |
| 12 | COURT MINUTES FROM HEARING 9/30/2020  | Elko County Clerk's Office | 3/16/2021 | 3/17/2021 |
| 13 | DUSTY JENSEN'S WORK SCHEDULE  | Elko County Clerk's Office | 3/16/2021 |           |
| 14 | TRUANCY NOTICE FROM GRAMMAR #2 IN REGARDS TO LEON ERIC                            | Elko County Clerk's Office | 3/16/2021 | 3/16/2021 |
| 15 | STUDENT WITHDRAWAL SHEET FROM GRAMMAR #2  | Elko County Clerk's Office | 3/16/2021 | 3/16/2021 |
| 16 | EX PARTE MOTION FILED ON 3/10/2021  | Elko County Clerk's Office | 3/16/2021 | 3/17/2021 |
| 17 | UPDATED TALKING PARENTS COMMUNICATIONS (1)  | Elko County Clerk's Office | 3/16/2021 | 3/17/2021 |
| 18 | TALKING PARENTS COMMUNICATION REGARDING COUNSELING 2/4/21 AND 2/5/21              | Elko County Clerk's Office | 3/16/2021 | 3/17/2021 |
| 19 | RELEVANT - TALKING PARENTS COMMUNICATION  | Elko County Clerk's Office | 3/16/2021 |           |
| 20 | ATTENDANCE RECORDS: EMAILS FROM VARIOUS TEACHERS AT GRAMMAR #2                    | Elko County Clerk's Office | 3/16/2021 |           |
| 21 | UPDATED TALKING PARENTS COMMUNICATIONS PAGES (2)                                  | Elko County Clerk's Office | 3/16/2021 |           |
| 22 | RECORDS: ASPEN QUICK CARE TREATMENT NOTES   | Elko County Clerk's Office | 3/16/2021 |           |
| 23 | RECORDS: ASPEN QUICK CARE PATIENT VERIFICATION FORM                               | Elko County Clerk's Office | 3/16/2021 | 3/17/2021 |
| 24 | GRAMMAR #2 OFFICE VISIT NOTES   | Elko County Clerk's Office | 3/16/2021 | 3/16/2021 |
| 25 | GRAMMAR #2 SCHOOL NOTES   | Elko County Clerk's Office | 3/16/2021 |           |
| 26 | GRAMMAR #2 HISTORICAL ATTENDANCE RECORDS  | Elko County Clerk's Office | 3/16/2021 |           |
| 27 | RENOWN MEDICAL RECORDS FOR LEON ERIC JENSEN                                       | Elko County Clerk's Office | 3/16/2021 |           |
| 28 | DUSTY JENSEN'S REBUTTAL DOCUMENTS TO OPPOSITION AND COUNTERCLAIM FROM DEFENDANT   | Elko County Clerk's Office | 3/16/2021 |           |
| 29 | TALKING PARENTS: MEDICATIONS  | Elko County Clerk's Office | 3/16/2021 | 3/17/2021 |
| 30 | ATTENDANCE RECORDS FOR LEON ERIC - GRAMMAR #2                                     | Elko County Clerk's Office | 3/16/2021 |           |
| 31 | ANTHEM INSURANCE CLAIMS: MEDICATIONS  | Elko County Clerk's Office | 3/16/2021 | 3/24/2021 |
| 32 | TALKING PARENT: CONFIRMING APPOINTMENTS   | Elko County Clerk's Office | 3/16/2021 | 3/17/2021 |
| 33 | NEUROLOGY PATIENT INSTRUCTIONS  | Elko County Clerk's Office | 3/16/2021 |           |
| 34 | DUSTY JENSEN WORK CALENDAR FOR OCTOBER 2019 TO NOVEMBER 2019                      | Elko County Clerk's Office | 3/16/2021 |           |
| 35 | SCHOOL WORK LOG FROM GRAMMAR #2   | Elko County Clerk's Office | 3/16/2021 |           |
| 36 | ELKO FAMILY WELLNESS CENTER INVOICE   | Elko County Clerk's Office | 3/16/2021 |           |
| 37 | CVS PHARMACY PRESCRIPTION RECORDS   | Elko County Clerk's Office | 3/16/2021 | 3/17/2021 |
| 38 | CVS PHARMACY PRESCRIPTION RECORDS WITH SIGNATURES                                 | Elko County Clerk's Office | 3/17/2021 | 3/17/2021 |
| 39 | ECSD STUDENT TRANSFER REQUEST   | Elko County Clerk's Office | 3/24/2021 | 3/24/2021 |

|    |  |                            |           |           |
|----|--|----------------------------|-----------|-----------|
| AA | IEP COMPLETED ON 02/28/21  | Elko County Clerk's Office | 3/16/2021 |           |
| BB | U OF U CHILDREN'S PRIMARY RECORDS  | Elko County Clerk's Office | 3/16/2021 |           |
| CC | IEP COMPLETED ON 01/15/21  | Elko County Clerk's Office | 3/16/2021 |           |
| DD | SCHOOL LOG IN  | Elko County Clerk's Office | 3/16/2021 |           |
| EE | ASSIGNMENTS NOT DONE WITH DAD  | Elko County Clerk's Office | 3/16/2021 |           |
| FF | NNRH VISIT REGARDING SEZIURES  | Elko County Clerk's Office | 3/16/2021 |           |
| GG | EMAIL BETWEEN SPEECH THERAPIST AND PARENTS                                       | Elko County Clerk's Office | 3/16/2021 |           |
| HH | ATTENDANCE RECORDS 2020-2021 0522-0523   | Elko County Clerk's Office | 3/16/2021 | 3/16/2021 |
| II | COMMUNICATION BETWEEN PARENTS AND TEACHER REGARDING LIVE MEETINGS ATTENDANCE (2) | Elko County Clerk's Office | 3/17/2021 | 3/17/2021 |
| JJ | ATTENDENCE RECORDS FOR LEON ERIC DATED 3/17/21                                   | Elko County Clerk's Office | 3/17/2021 | 3/17/2021 |
| KK | PSYCHOLOGICAL EVALUATION OF SILVA HINCH  | Elko County Clerk's Office | 3/24/2021 | 3/24/2021 |
| LL | LAURA NIELSEN, PSYD CRRICULUM VITAE  | Elko County Clerk's Office | 3/24/2021 | 3/24/2021 |

Case No. DR-MD-16-856

Dept. No. 2

FILED

2022 MAR 24 PM 4:36

ELKO CO DISTRICT COURT  
IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT  
IN AND FOR THE COUNTY OF ELKO, STATE OF NEVADA  
CLERK \_\_\_\_\_ DEPUTY AM

\_\_\_\_\_  
SILVA HINCH,

Appellant,

vs.

Dusty Jensen,

Respondent.  
\_\_\_\_\_ /

**CLERK'S CERTIFICATION**

I, KRISTINE JAKEMAN, the duly elected, acting and qualified County Clerk and Ex-Officio Clerk of the District Court of the Fourth Judicial District of the State of Nevada, in and for the County of Elko, do hereby certify that the annexed are true, full and correct copies of certain documents in Case No. DR-MD-16-856, Dept. 2, Silva Hinch, Appellant, vs. Dusty Jensen, Respondent, as appears on file and of record in my office.

WITNESS My Hand and Seal of said Court on March 24, 2022.

KRISTINE JAKEMAN, ELKO COUNTY CLERK

By

Annette Marshall  
Annette Marshall, DEPUTY CLERK

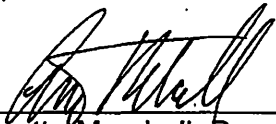
**CERTIFICATE OF SERVICE**

I hereby certify that I caused to be sent electronically and/or mailed a certified copy of the annexed documents in Case No. DR-MD-16-856, Dept. 2, Silva Hinch, Appellant, vs. Dusty Jensen, Respondent, as appears on file and of record in this Court, to the following:

Silva Hinch  
P.O. Box 193  
Littlefield, AZ 83432

Dusty Jensen  
5240 Gunpowder Drive  
Elko, NV 89801

DATED this 24<sup>th</sup>, day of March, 2022.

  
\_\_\_\_\_  
Annette Marshall, Deputy Clerk