

IN THE SUPREME COURT OF THE STATE OF NEVADA

* * * * *

AHED SAID SENJAB,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA, IN
AND FOR THE COUNTY OF CLARK, AND
THE HONORABLE T. ARTHUR RITCHIE,
DISTRICT COURT JUDGE,

Respondents,

and

MOHAMAD ALHULAIBI,

Real Party in Interest.

S.C. No.: Electronically Filed
Apr 06 2022 09:42 a.m.
D.C. Case No.: D-20-606093-D
Elizabeth A. Brown
Clerk of Supreme Court

PETITIONER'S APPENDIX

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EXHIBIT 5

EXHIBIT 5





EXHIBIT 6

EXHIBIT 6

Thu, Feb 6

بس اچي دقلکم تنزلو؟

call you when I get home to come downstairs?

شريحتي السعودية معك لساته؟

is my Saudi SIM card with you? 12:45 PM ✓✓

2:45 PM ✓✓

You

بس اچي دقلکم تنزلو؟

ماشي عمري ادیش بدك ريان خالص وانا عم

البيس

Ok baby, how long u need? Ryan ready and I'm getting ready.

You

شريحتي السعودية معك لساته؟

شريحتك مامعى

I don't have SIM

I need about 20 mins

شي تلت ساعة

12:46 PM ✓✓

Aahdi ∞❤

شريحتك مامعي

مواخذتيها بالمطار

You took it in the airport

report ✓

ثوانی

12:46 PM

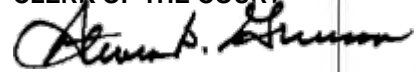
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12:47 PM



EXHIBIT 7

EXHIBIT 7



1 MRAO

2
3 **EIGHTH JUDICIAL DISTRICT COURT**
4 **FAMILY DIVISION**
5 **CLARK COUNTY, NEVADA**

6 AHD SENJAB, Applicant,

CASE NO.: T-20-203688-T

DEPT. NO.: H

8 vs.

Date of Hearing: 2/12/2021

Time of Hearing: 9:00 AM

10 MOHAMAD ALHULAIBI, Adverse Party.

11
12
13 **MASTER'S REPORT AND RECOMMENDATION**

14 This matter came before the Court on February 12, 2021 for an evidentiary hearing
15 on the Applicant's motion to add the minor child as a protected party, and for a hearing
16 on the Applicant's motion to extend the protection order. The Applicant, Ahd Senjab,
17 was present in court and represented by April Green, Esq. The Adverse Party, Mohamad
18 Alhulaibi, was present in court and represented by David Markman, Esq. The Court has
19 reviewed the papers and pleadings on file in this case and the related divorce action filed
20 in case D-20-606093-D.
21
22

23 Due to time constraints, the proceeding could not be concluded and the hearing
24 was continued. This resulted in the Adverse Party being unable to present his case in
25 chief; however, he was able to cross examine the Applicant regarding her request to
26 extend the order of protection and her allegations related to that request.
27
28

1 **Recent Allegations of Domestic Violence/Protection Order Violations**

2 During the February 12th proceedings, Ms. Senjab provided testimony alleging
3
4 that Mr. Alhulaibi has recently committed three acts of domestic violence and/or
5 violations of the protection order.

6 **January 31 Incident**

7 Ms. Senjab testified that on or around January 31st, after a child custody
8
9 exchange, Mr. Alhulaibi gave her the finger. On cross examination Ms. Senjab stated
10 that she could not remember the date of the incident, but that she did report it to a
11 security guard at Family Court, who advised her to “let it go.”
12

13 Mr. Alhulaibi was not afforded an opportunity to testify about this allegation.
14 However, during argument, his attorney implied that Mr. Alhulaibi would deny the
15 allegation during his testimony.
16

17 Mr. Alhulaibi’s testimony related to this incident is not necessary for the Court’s
18 decision in this case because the act of giving a person the finger is not an act of domestic
19 violence under NRS 33.018. Therefore, even if the Court were to make a finding that Mr.
20 Alhulaibi flipped off Ms. Senjab, the finding would not support her request to extend the
21 order of protection. Additionally, the Court does not find the testimony credible because
22 it is inconsistent with the assertions made by Ms. Senjab in her reply where she only
23 alleged that Mr. Alhulaibi leered at her.
24
25

26 **Telephone Call Regarding Social Security**

27 Ms. Senjab testified that she received a harassing telephone call from one of Mr.
28 Alhulaibi’s friends; she knew the caller was a friend of Mr. Alhulaibi’s because he had an

1 Arabic accent. During cross examination, Ms. Senjab testified that caller asked her about
2 her Social Security account, and stated that there was an open court case and that a
3 warrant had been issued. Ms. Senjab testified that she believes Mr. Alhulaibi was
4 involved in the call because the caller knew her full name and his full name. Finally, Ms.
5 Senjab testified that the caller asked her where she lived and for her Social Security
6 number.
7

8
9 Ms. Senjab testified that she reported the incident to law enforcement and that the
10 detective advised her that the telephone call was a scam.

11 Mr. Alhulaibi was not afforded an opportunity to testify about this allegation.
12 Again, his testimony on the issue is not necessary for the Court's decision because Ms.
13 Senjab's allegation is based only on assumption. The burden is placed on Ms. Senjab to
14 demonstrate that Mr. Alhulaibi was responsible for the phone call. The fact that the caller
15 had an Arabic accent and knew Ms. Senjab's and Mr. Alhulaibi's names does not provide
16 enough evidence for the Court to find that Mr. Alhulaibi was responsible for the call.
17

18 **Threatening Telephone Call Made to Ms. Senjab's Father**

19
20 Ms. Senjab testified that her father received a telephone call from one of Mr.
21 Alhulaibi's acquaintances and that the caller made threats against Ms. Senjab and stated
22 that Ms. Senjab is being followed. On cross examination, Ms. Senjab testified that she
23 was not a party to the telephone call, and that she only knew of the discussion because
24 her father relayed the information to her.
25

26 Again, Mr. Alhulaibi was not afforded an opportunity to testify about this
27 allegation. However, his testimony is not necessary due to the hearsay nature of Ms.
28

1 Senjab's testimony. Because this allegation is based exclusively on hearsay, the
2 testimony is not credible and cannot be considered by the Court as a basis for extending
3 the protection order.
4

5 **Dismissal of the Divorce Action/Pending Appeals**

6 Ms. Senjab argues that the dismissal of the divorce action, and the fact that the
7 appeals from that decision are still pending, provide a new and distinct basis to extend the
8 protection order. This argument fails because it does not consider the specific language
9 of EDCR 5.519(c)(3) which requires that the new and distinct factual basis be
10 independently sufficient for the issuance of a protection order. In this case, the dismissal
11 of the divorce action and the potential for the subject of the pending appeals being lost,
12 are not independently sufficient for the issuance of a protection order. These potential
13 problems do not qualify as acts of domestic violence under NRS 33.018. And thus, Ms.
14 Senjab cannot rely on these circumstances as a basis for her motion to extend.
15
16
17

18 Additionally, Mr. Alhulaibi's argument regarding this issue is compelling. NRS
19 33.020(1) makes clear that a "court shall only consider whether the act of domestic
20 violence or the threat thereof satisfies the requirements of NRS 33.018 without
21 considering any other factor in its determination to grant the temporary or extend
22 order." This Court cannot consider the pending appeals as legal justification for
23 extending the protection order.
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