IN THE SUPREME COURT OF THE STATE OF NEVADA

* * * * *

MINH NGUYET LUONG, Petitioner, vs. THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK, AND THE HONORABLE DAWN THRONE, DISTRICT COURT JUDGE, Respondents, and JAMES W. VAHEY, Real Party in Interest.	S.C. No.: 84522-COA D.C. Case No.: D-18-581444-D

PETITIONER'S REPLY TO REAL PARTY IN INTEREST'S

RESPONSE TO EMERGENCY PETITION FOR WRIT OF

MANDAMUS OR PROHIBITION PER NRAP 21(a)(6) AND NRAP

27(e)

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The Hon. Dawn Throne
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I. MISCELLANEOUS, FACTUAL, AND PROCEDURAL MATTERS

The situation in New York went just as badly as predicted. In Minh's care, Hannah had returned from sickly and withdrawn to being a healthy, well adjusted, well liked, 4.0 student, and thriving. Within hours of Hannah being turned over to Jim, she had been physically assaulted and violently restrained for being "inadequately compliant" with the directions of Ms. Gottlieb's "program." The responding police found her genuinely fearful for her safety, and ultimately took her to a hospital. Since Minh has been cut off from all contact, Hannah's present condition is not known.

We do not have full information, but in front of Minh and others, during the dinner that is part of the first day of the Turning Point for Families program, Ms. Gottlieb shoved a table into Hannah, trapping her in a booth. We are informed that, later, the child was struck. If that wasn't bad enough, Jim forcibly dragged Hannah

into a bathroom, for the apparent purpose of making sure no one could witness what he then said and did to the child.

Ms. Gottlieb violated her own published protocols by not informing both parents daily of what she was doing and the child's condition. She is – predictably – trying to hide all record of what was done to the child, citing "confidentiality." We have asked the district court to order a full release of information relating to the police involvement and hospitalization, but no action has yet been taken as of this writing.

To avoid causing the minor children any additional trauma, we have also asked the district court to stay the executory portions of its order until this writ petition has been resolved. Again, no decision on that request has been made as of this writing.

We do not wish to distract this Court from the legal merits by spending much time addressing non-substantive points, but it is irritating to deal with knowing mis-statements about a record that opposing counsel should know better than we do.

For example, starting on page iii, the assertion that we did not serve the petition at the "earliest time." Mr. Dickerson was informed the day appellate counsel entered the case that if we did not stipulate to an off-ramp from the Turning Points program, the writ petition would be filed, and when a settled resolution was rejected, it was drafted as quickly as possible and served within minutes of it being filed. Since then, in addition to the motion described in the *Answer*, a formal motion for stay has been put before the district court but not yet acted upon.

The thirty pages of "facts" recited in the *Answer* illustrate part of the problem with this case – for example, on page 13, Minh doing as instructed by Hannah's

therapist and reporting to the therapist what the child says is twisted into an accusation of "reflecting hatred."

Hyperbole and misrepresentations pervade the *Answer* – Minh's one report to CPS after Jim burned the child with a pan, and her one report to the police after Jim punched the child in her face, are labeled (at page 4, n.4) "continuous false" accusations to the authorities.[1] The accusatory vitriol aimed at Minh occupies pretty much every paragraph of the asserted "facts," and while a lot of it can be objectively disproven by the 21-volume record, there is not sufficient time in the three days permitted to draft this *Reply* to catalog it all, and we think this Court is (and should be) more focused on the legal errors to be corrected than on the factual disputes between the parties in any event, so only a few examples are set out here.

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[1] Jim has admitted to both incidents, but claims they were "accidents." He has never apologized.

Attempting to blame Minh for his terrible relationship with the children, Jim falsely alleges that he had a "great" relationship with them until April, 2020, after Minh returned from California. The record reflects the kids complaining of his mis-treatment of them and trying to run away from his house since at least December 2019, during his temporary period of primary physical custody while Minh lived in California.[2]

Despite the repeated claim that alienation has been "found by two judges" and "found by the therapists," Judge Ritchie made no findings of alienation, and ***none*** of the mental health professionals involved have made any diagnosis of alienation by Minh; the only therapist who was asked on the stand denied it had occurred.[3] The current district court judge claims to "just know."

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[2] IV AA 649; V AA 862-864.

[3] XVII AA 3243-3353.

As to issues of timing, the *Answer* ignores the fact that the order that the children would "attend" the "Turning Points Program" was made by the judge *sua sponte* at a status check on February 8 without any motion before the court on that issue,[4] providing neither meaningful notice nor a meaningful opportunity to present evidence, in defiance of the standards of due process requiring both.[5]

The findings from the February 8 hearing were not filed until March 30 – days before the children were to "report" for "treatment." No motion to alter or amend is possible until an order is on file ***to*** alter or amend. The pending writ petition was filed eight days later.[6]

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[4] XVIII AA 3593.

[5] *See*, *e.g.*, *Anastassatos v. Anastassatos*, 112 Nev. 317, 320, 913 P.2d 652 (1996).

[6] In between those dates, Jim's "emergency motion" invited by the judge was filed on March 15 and heard without meaningful opportunity to respond on March 21.

The false statement (at 33-34) that "the children's mental health has deteriorated" since the *Decree* filed March 26, 2021, is not accurate. As detailed in the *Writ Petition*, the children's mental and physical health, socialization, and school performance is *excellent* while with Minh – the children are only depressed, failing school, and in violent altercations while *with Jim* – which Jim, and the district court judge, blame on Minh anyway.

Similar is the repeated false characterization that the current orders were the result of "evidence presented at evidentiary hearings." As detailed in the *Writ Petition*, the ***only*** evidentiary proceeding at which any evidence on the question of "alienation" was presented was at the November 3 hearing in which Hannah's

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XIX AA 3701; XX AA 3923, 3963. Jim's contention (at 49) that Minh was not rushed and denied a meaningful opportunity to respond by the district court is belied by the face of the record.

therapist, Dr. Fontenelle-Gilmore, testified that as to Hannah there ***was no*** alienation. The *Answer* totally ignores this violation of *Alba*.[7]

It is true, as recited at page 38, that Judge Throne "found" that Minh "needs professional help."[8] But missing from the recitation is the fact that ***no*** mental health professional who has interacted with Minh has made any such diagnosis – the district court judge simply made a "finding" without any relevant evidence of any kind. If we really have reached a point at which a district court judge can *sua sponte* "diagnose" and "order treatment," then the repeated appellate admonitions that

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[7] *Alba v. Alba*, 111 Nev. 426, 892 P.2d 574 (1995) (requiring district court orders to be "within a range . . . demonstrated by competent evidence"). If anything, this is more necessary for custody decisions than property determinations.

[8] XVIII AA 3614.

district court custodial orders must be based on substantial and admissible evidence[9] do not mean much.

Matthew has been in Jim's sole custody (and cut off entirely from Minh) for about six months, and by all reports is close to being a basket case – sullen, unhappy, withdrawn, and poorly functioning in school; the damage to his long-term mental and physical health may be irreparable. So long as he is forced to live with his father, however, the current district court judge appears to have no actual concern for his "mental health" beyond that one dimension, even though the GAL has stated that the current order "cannot continue" and that forcing Matthew to be with Jim is "causing resentment" and "not helping."[10]

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[9] *See*, *e.g.*, *McMonigle v. McMonigle*, 110 Nev. 1407, 887 P.2d 742 (1994); *Gordon v. Geiger*, 133 Nev. 542, 402 P.3d 671 (2017).

[10] We have not yet been able to locate the report in the appendix. It specifies

The short version is that the "Statement of Facts" proffered by Jim is not helpful to understanding the legal issues presented. Provided a copy for review, counsel for Minh responded that "Making a reference to the record [usually to counsel's own arguments] does not change the fact that the language was argument wrongfully placed in a statement of facts in the first place. . . . Literally every sentence . . . that does not reference a finding or an order in the statement of facts contains argument and is a lie."[11] That seems a succinct and accurate response.

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that "Matthew is no longer engaging and is only giving one word answers" to any questions. This is not "treatment" – this is state-sanctioned child abuse. The district court has refused all requests to have Matthew evaluated by a qualified psychiatrist, apparently because of how such an examination will show that Matthew is actually doing in Jim's custody.

[11] Email from Fred Page, Esq., dated April 16, in counsel's file.

Even a casual review of the *Answer* shows that it is the "party line" – anything violent or otherwise inappropriate that happens in Jim's house, between Jim and the children, is "really" Minh's fault. This one-way pathological perception has been noticed by commentators for years, virtually always directed against mothers by fathers who are in abusive conflicts with children.[12]

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[12] *See*, *e.g.*, Joan S. Meier, *U.S. child custody outcomes in cases involving parents alienation and abuse allegations: what do the data show?*, J Social Welfare and Family Law, 2020: 42(1):92-105 (confirming "that mothers' claims of abuse, especially child physical or sexual abuse, increase their risk of losing custody, and that fathers' cross-claims of alienation virtually double that risk. Alienation's impact is gender-specific; fathers alleging mothers are abusive are not similarly undermined); *Parental Alienation Syndrome: Fact or Fiction? The Problem with Its Use in Child Custody Cases*, Holly Smith, U of Mass Law Review, Jan 2016;11(1) Article 5;

II. ARGUMENT

A. WRIT RELIEF IS APPROPRIATE

Robert E. Emery, *Parental Alienation Syndrome: Proponents Bear the Burden of Proof*, Family Court Review 8-13 (Jan 2005), 43(1):8-13; Rebecca M. Thomas and James T. Richardson, *Parental Alienation Syndrome: 30 Years On and Still Junk Science* (ABA 1 Jul 2015); Joan Mercer, *ChildMyth* Blog, June 17, 2020 (detailing American Psychological Association and World Health Organization rejection of any "diagnosis" of "Parental Alienation" and *any* use of Childress' "immersion therapy treatment"), posted at http://childmyths.blogspot.com/2020/06/the-american-psychological-association.html. A brief review of the available literature reveals many dozens of similar scientific rejections of both "Parental Alienation" and "Parental Alienation Syndrome" throughout the past 20 years, rejecting as pseudo-science both Gardner's "diagnoses" and Childress' "immersion theory" proposals to "treat" it.

Jim declares (at 31-32) that no writ is appropriate because the district court did not act in excess of its jurisdiction or manifestly abuse its discretion. For all the reasons set out in the *Writ Petition* and below, since Jim's contention is false, his conclusion is likewise wrong.

B. THE FRAUD OF LABELING AN "INDEFINITE" CHANGE OF CUSTODY "TEMPORARY"

Jim argues (at 33-34) that no actual evidence is necessary for a "temporary" change of custody.

First, that is simply false under the case law and the applicable statutes. Due process protects certain substantial and fundamental rights, including the interest parents have in the custody of their children.[13] Due process requires that notice be

[13] *Gordon v. Geiger*, 133 Nev. 542, 402 P.3d 671 (2017).

given before a party's substantial rights are affected.[14] Further, a "party threatened with loss of parental rights must be given opportunity to disprove evidence presented."[15]

Here, the district court precipitously decided to change custody "for a minimum of 90 days" (and perhaps forever) at a status check and then on shortened time without any significant advance notice or an opportunity for presentation of any relevant evidence.[16]

Jim mischaracterizes the order, which actually calls for a *minimum* of 90 days total isolation of the children from their mother, to be "indefinitely" extended in the sole discretion of a social worker from New York until that person determines that

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[14] *Wiese v. Granata*, 110 Nev. 1410, 887 P.2d 744 (1994).

[15] *Wallace v. Wallace*, 112 Nev. 1015, 1020, 922 P.2d 541, 544 (1996).

[16] XVIII AA 3593; XXI AA 4016.

Minh "is ready, willing, and able to support the relationship between [Jim] and the children."[17]

The district court found as a matter of fact that Minh sincerely believes the children's reports that Jim is physically and mentally abusive to them.[18] The order requires Minh's "re-education" and requires as a condition of her having any contact with her children for the remainder of their minority that she deny in writing what she believes to be true and express in writing what she believes to be false.[19]

That order violated Minh's due process rights both procedurally and substantively.[20] As in the cases cited, the supposed basis of the order was the district

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[17] XXI AA 4025, 4047

[18] XXI AA 4019, 4022.

[19] XXI AA 4028-4029. The impropriety of that order is addressed separately below.

[20] *Wiese*, *supra*; *Dagher v. Dagher*, 103 Nev. 26, 731 P.2d 1329 (1987).

court's expressed unhappiness with Minh's "attitude" in "not completely supporting Jim's relationship with the children" – in other words, as a sanction for (alleged) "maternal misconduct," which is improper.[21] The improper delegation of judicial authority is addressed below.

Jim's assertion (at 33) of a "substantial change in circumstances affecting the welfare of the children, namely their mental well-being" is bogus. As recounted above, the point of the district court's order was the ***absence*** of the district court's desired "change of circumstances" – an improvement of Jim's relationship with the children, and the evidence is uncontroverted that the children thrive in Minh's custody, and ***only*** have medical, emotional, scholastic, and other problems while with Jim.

[21] *Dager*, *supra*; *Moser v. Moser*, 108 Nev. 572, 576, 836 P.2d 63, 66 (1992).

The district court's fixation on forcing the children to "embrace" a relationship with a parent they consistently maintain abuses them, and to ***require*** Minh to prove to a social worker that she "believes differently," is simply ***not*** a "change in circumstances," under *Romano* or otherwise.[22]

C. THE DISTRICT COURT IMPROPERLY DELEGATED JUDICIAL AUTHORITY

One of the more hypocritical aspects of the order at issue is the district court's refusal to actually obtain input as to appropriate care for Hannah – which the stipulated order on file ***requires***,[23] or to permit a custody evaluation, on the basis of

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[22] *Romano v. Romano,* 138 Nev. ___, ___ P.3d ___ (Adv. Opn. No. 1, Jan. 13, 2022).

[23] XV AA 3036-3038; XX AA 3959.

a declared "refusal to delegate,"[24] while simultaneously delegating all custody authority to an out-of-state social worker who has never even appeared in the courtroom and is totally unqualified to make any such decisions.[25]

Of course, it is a fundamental part of Nevada law that parties are free to contract and the Court is required to enforce contracts so long as the terms are not unconscionable, illegal, or against public policy.[26] There is nothing prohibited in parties agreeing to obtain information from a child's treating therapist before seeking

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[24] XX AA 3963-3964; for some reason, the transcript from the hearing cuts off before the judge's on-record comment.

[25] XXI AA 4029.

[26] *Rivero v. Rivero*, 125 Nev. 410, 216 P.3d 213 (2009); *Grisham v. Grisham*, 128 Nev. 679, 289 P.3d 230 (2012); *Phung v. Doan*, No. 69030, Order Affirming in Part, Reversing in Part, and Remanding (Unpublished Disposition May 10, 2018).

custodial changes, or agreeing to follow a neutral's recommendations as to what is best for their child.

By stark contrast, the district court's total delegation of authority to Ms. Gottlieb in New York – over the objection of a parent – to allow a parent any contact with her children by reporting that "Minh has demonstrated genuine support for the reunification [of the children with Jim] and is ready, willing and able to support the relationships between Jim and their children" is prohibited for multiple reasons, among which is the delegation to a social worker who is unqualified to even do psychological testing.[27]

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[27] *See Bautista v. Picone*, 134 Nev. 334, 419 P.3d 157 (2018) (reversing improper delegation); *Harrison v. Harrison*, 132 Nev. 564, 376 P. 3d 173 (2016) (approving *agreed* and limited authority to a parenting coordinator, and contrasting such an order with a prohibited order to "make recommendations with regard to

With startling hypocrisy, Jim (at 40-43) attacks his *own stipulated order* to consult Hannah's therapist as an unlawful order, while finding no problem whatever with delegation of decision-making to Ms. Gottlieb in New York. His excuse (at 43) is that the therapist (allegedly) did not answer the phone one day, and defends the repeated orders entered with little-to-no notice on orders shortening time without evidentiary proceedings with the assertion that if Minh did not like it she should have moved faster to file motions.[28]

The fact remains that Hannah's treating therapist (wisely) advised against subjecting Hannah to the Turning Points "program," because it is "unnecessary" for

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whom should have custody," citing *Dilbeck v. Dilbeck*, 245 P.3d 630, 638 (Okla. Civ. App. 2010)).

[28] Jim did catch a typo (at 49); it has not been three summary orders on order shortening time in ***three*** months – it is three such orders in ***six*** months.

a child who is thriving in Minh's care,[29] and apparently expecting exactly the kind of altercation that actually occurred.

As expected, Jim attempts to defend the district court's improper delegation to Gottlieb (at 36) by citation to the ***single*** supportive publication of Ms. Gottlieb's "program." But as noted in the literature cited in the *Writ Petition*,[30] that "study" was not an unbiased scientific review but was performed by a fellow "parental alienation zealot" for the *purpose* of providing affirmation to Gottlieb's program. Several

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[29] XX AA 3904.

[30] Elena Andreopoulos & Alison Wexler: *The "Solution" to Parental Alienation: A Critique of the Turning Points and Overcoming Barriers Reunification Programs*, Journal of Family Trauma, Child Custody & Child Development, DOI: 10.1080/26904586.2022.2049462 (March 15, 2022), posted at https://doi.org/10.1080/26904586.2022.2049462.

courts, and several unbiased authors, have noted the bogus junk science of the Turning Point "program."[31]

As noted, Gottlieb is unqualified to do any kind of psychological testing, and her program ***presumes*** "severe parental alienation" and the "absence of a reasonable or valid reason" for a child's rejection of a parent. In this case, there has never been a finding of parental alienation by anyone qualified to make any such diagnosis. This

[31] *See*, *e.g.*, *Suarez v. Suarez*, 176 A.D.3d 830 (N.Y. App. Divorce. Oct. 9, 2019); Timothy M. Tippins, *A Passel of Poppycock: Expert Witness Roles and Limitations*, New York Law Journal March 15, 2019, posted at https://www.law.com/newyorklawjournal/2019/03/15/a-passel-of-poppycock-expert-witness-roles-and-limitations/?slreturn=20220315181812.

is "Queen of Hearts" therapy: "Sentence first—verdict afterwards,"[32] usually cited as the epitome of arbitrariness.[33]

After an *ad hominum* attack on undersigned counsel (at 39), Jim dismisses the federal Violence Against Women Act with one line as "not binding" – ignoring the fact that those drafting the federal legislation were fully conversant with the junk science peddled by Gottlieb and Childress and its misuse against mothers for years, as indicated in the literature mentioned above (and a lot more).

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[32] Lewis Carroll, ALICE'S ADVENTURES IN WONDERLAND (1865).

[33] *See*, *e.g.*, *Meaning and Origin of 'Sentence First (And) Verdict Afterwards,'* posted at https://wordhistories.net/2019/07/14/sentence-first-verdict-afterwards/.

D. JUDICIAL "FINDINGS" REQUIRE COMPETENT EVIDENCE

In a startling example of circular sophistry, Jim contends (at 44-47) that the district court can make "findings" of parental alienation without any actual evidence from any therapist there has actually ***been*** any such alienation, because "none of the professionals were hired to diagnose whether Minh had committed parental alienation."

That is the ***point*** – a district court judge is not to make *sua sponte* "diagnoses" of ***anything***[34] or make "precipitous" orders altering custody in the absence of appropriate evidence for them.[35] Instead, Jim simply sniffs (at 46) that there is no requirement of expert testimony to support a "finding" of parental alienation,"

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[34] *Alba*, *supra*.

[35] *Wiese*, *supra*.

ignoring the fact that a loss of custodial rights in the absence of admissible evidence is a violation of due process.[36]

At minimum, the record of proceedings in this case suggest that this is one of those cases in which the remarks of a judge made during court proceedings show "that the judge has closed his or her mind to the presentation of all the evidence,"[37] and a change of departments is warranted.

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[36] *Pearson v. Eighth Judicial District Court of Nevada*, 373 P.3d 949 (Unpublished Disposition, 2011) (parents have a fundamental liberty interest in the care and custody of their children, and are entitled to certain due process rights, citing *Santosky v. Kramer*, 455 U.S. 745, 753-54 (1982); parents involved "in a custody battle have the right to a full and fair hearing concerning the ultimate disposition of a child" citing *Moser v. Moser*, 108 Nev. 572, 576, 836 P.2d 63, 66 (1992)).

[37] *Cameron v. State*, 114 Nev. 1281, 1283, 968 P.2d 1169, 1171 (1998).

The district court has refused to require a qualified professional opinion before making a psychological diagnosis herself, ignored the testimony of Hannah's treating therapist because it did not square with the district court's pre-determined outcome, and has left first Matthew (for the past six months), and now Hannah, in the sole custody of a parent both children claim abuses them while cutting off ***all*** contact between the children and the parent in whose custody both children have thrived. All because she "just knows" that Minh is the "cause" of Jim's destroyed relationship with the children. This is arbitrariness and capriciousness personified.

E. NO PERSON MAY BE ORDERED TO LIE AS A PREREQUISITE TO ACCESS TO THEIR CHILDREN

Particularly chilling is Jim's pronouncement (at 49) that "Judge Throne . . . has given [Minh] every opportunity to change her behavior to act in the children's best

interest." No specific actions are referenced. The "behavior" in question is Minh's believing the children when they report that their father abuses them. In other words, Minh is to lose all custody of her children until she "believes differently."

"[T]he parent-child relationship is a fundamental liberty interest" and the Due Process Clause of the Fourteenth Amendment protects parents' fundamental right to care for and control their children. Statutes – and orders – that infringe upon this interest are thus subject to strict scrutiny and must be narrowly tailored to serve a compelling interest.[38]

This case presents a litany of judicial excesses and harmful impacts to children. Among the constitutional-level violations is Judge Throne's pronouncement that Minh will have no contact whatsoever with her children until she lies to them, telling

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[38] *In the Matter of Parental Rights as to J.L.N.*, 118 Nev. 621, 55 P.3d 955 (2002); *Troxel v. Granville*, 530 U.S. 57, 120 S.Ct. 2054, 147 L.Ed.2d 49 (2000).

them that she considers Jim a great parent and that she has no concerns with his treatment of them, and convinces a New York social worker that she "really believes" it.

In 2017, the Nevada Supreme Court held that a parent may not constitutionally be required to admit to criminal behavior as part of a reunification case plan or suffer the termination of parental rights, and it would be an abuse of discretion to require a parent to admit to behavior they deny as a condition of having custody of their children.[39]

That constitutional violation is just what has occurred here – the district court has ordered that until Minh in writing states that she does not believe there has been any abuse by Jim and fully supports his relationship with the children, she is to be

[39] *In the Matter of the Parental Rights As to A.D.L. and C.L.B., Jr., Minors*, 133 Nev. 561, 402 P.3d 1280 (2017).

deprived of all custody of her children. But she ***does*** believe there has been ongoing abuse, and she ***does*** believe the children's reports.

The district court's order would deprive Minh of her constitutional right to custody of her children for the remainder of their minority. That order cannot be permitted to stand.

III. CONCLUSION

This Court would not – indeed it ***does*** not – allow convicted prisoners to be mistreated in the way these children are being mistreated – isolated, assaulted, confined, involuntarily "hospitalized," etc.

The state of Nevada is not – or at least certainly should not be – in the business of "breaking" children. What is going on in this case is state-sanctioned child abuse in the guise of "therapy," and there is no excuse for it.

Hannah and Matthew do not much like their dad. They are convinced that his burning, beating, and man-handling them has never been "accidental." Minh has decided to believe her children, for which "sin" she has been castigated by the district court judge as an "alienator."

Nearly a century ago, Maslow established a hierarchy of needs, starting with the physiological (air, water, food), and progressing through needs of safety, love and belongingness, esteem, and self-actualization. Even if it was legally and constitutionally permissible to do so (and it isn't) it would be, in a word, stupid to sacrifice a child's physical and mental health in the interest of trying to force a relationship between the child and a parent that the child considers to be an abusive lout.

The "best interest of the child" can ***never*** be served by sacrificing the child's physical and mental health, relationship with one parent, education, and socialization

with all others to the end of making sure that the "estranged" parent is not "deprived" of a "loving relationship" with the child, whose mind and perhaps body is to be "broken" in service to that end. That completely upside-down ordering of what is important in serving a child's "best interest" is something out of Kafka.

This Court should disregard the fake rubric of the district court's couching the order as "temporary" but indefinite, perhaps permanent, and dependent on Minh's written statement attesting to things she does not believe are true, and then convincing a New York social worker that she truly believes that falsehood.

The order in question should be immediately vacated. Hannah should be returned to Minh's full custody immediately. Matthew should be – at minimum – restored to immediate joint legal and physical custody; supervision of Jim's contact

appears to be warranted. The case should be remanded to a different department so that appropriate custodial orders, based on actual evidence, can be entered.

Dated this 18th day of April, 2022.

Respectfully submitted,
WILLICK LAW GROUP

//s// Marshal S. Willick, Esq.
Marshal S. Willick, Esq.
Attorney for Petitioner

CERTIFICATE OF COMPLIANCE

1. I hereby certify that this brief complies with the formatting requirements of NRAP 32(a)(4), the typeface requirements of NRAP 32(a)(5) and the type style requirements of NRAP 32(a)(6) because:

[**X**] This brief has been prepared in a proportionally spaced typeface using Corel WordPerfect Office 2021, Standard Edition in font size 14, and the type style of Times New Roman; or

[ ] This brief has been prepared in a monospaced typeface using [*state name and version of word processing program*] with [*state number of characters per inch and name of type style*].

2. I further certify that this brief complies with the page or type-volume limitations of NRAP 32(a)(7) because, excluding the parts of the brief exempted by NRAP 32(a)(7)(C), it is either:

[**X**] Proportionately spaced, has a typeface of 14 points or more and contains 4,495 words.

[ ] Monospaced, has 10.5 or fewer characters per inch, and contains _____ words or _____ lines of text; or

[ ] Does not exceed _____ pages.

3. Finally, I hereby certify that I have read this appellate brief, and to the best of my knowledge, information, and belief, it is not frivolous or interposed for any improper purpose. I further certify that this brief complies with all applicable Nevada Rules of Appellate Procedure, in particular NRAP 28(e)(1), which requires every assertion in the brief regarding matters in the record to be supported by a reference to the page and volume number, if any, of the transcript or appendix where the matter relied on is to be found. I understand that I may be subject to sanctions in the event that the accompanying brief is not in conformity with the requirements of the Nevada Rules of Appellate Procedure.

DATED this 18th day of April, 2022.

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VERIFICATION

Marshal S. Willick, Esq., being first duly sworn, deposes and says that:

I am an attorney duly licensed to practice law in the State of Nevada. I am an attorney at the Willick Law Group, and I am the attorney representing Petitioner, Ahed Senjab. I have read the preceding filing, and it is true to the best of my knowledge, except those matters based on information and belief, and as to those matters, I believe them to be true.

DATED this 18th day of April, 2022.

//s//*Marshal. S. Willick, Esq.*
MARSHAL S. WILLICK, ESQ.

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Willick Law Group and that on 18th day of April, 2022, I served a true and correct copy of the *Petitioner's Reply to Real Party in Interest's Response to Emergency Petition for Writ of Mandamus or Prohibition per Nrap 21(a)(6) and Nrap 27(e)* by electronically with the Clerk of the Nevada Supreme Court, to the following:

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