IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed
May 27 2022 10:11 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

ANA MARIA SALAS; AND TYLER KYLE EDENFIELD ,
Appellant(s),

vs.

GABINO GUARDADO,
Respondent(s),

Case No: D-20-602873-F

Docket No: 84667

RECORD ON APPEAL
VOLUME
1

ATTORNEY FOR APPELLANT
ANA MARIA SALAS, PROPER PERSON
903 9TH AVE., UNIT 51
SEATTLE, WA 98104

ATTORNEY FOR RESPONDENT
BYRON L. MILLS, ESQ.
703 S. 8TH ST.
LAS VEGAS, NV 89101

D-20-602873-F Ana Maria Salas, Tyler Kyle Edenfield, Plaintiff. vs. Gabino Guardado, Defendant.

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vs.
Gabino Guardado, Defendant.

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vs.
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vs.
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Steven D. Grierson
CLERK OF THE COURT

FORJ
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE A. KING, ESQ.
Nevada Bar No. 14557
ROSENBLUM LAW OFFICES
7375 S Pecos Rd., Ste 101
Las Vegas, NV 89120
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Respondent

CASE NO: D-20-602873-F
Department: To be determined

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER KYLE EDENFIELD, Petitioner, vs. **GABINO GUARDADO,** Respondent	Case No.: Dept. No.:

PETITION FOR REGISTRATION OF OUT OF STATE CHILD CUSTODY DETERMINATION

TO: The Clerk of the Court of the Eighth Judicial District Court, Clark County Nevada:

1. GABINO GUARDADO, by and through his counsel, Kyle A. King, Esq., of ROSENBLUM LAW OFFICES, hereby request that the attached certified copy of child custody determination, entered on March 2, 2017, in the State of North Carolina, County of Craven, pursuant to NRS 125A.465.

2. The child listed in the determination is Yasline Guardado-Salas, born February 9, 2014, now age five (5).

3. GABINO GUARDADO, is the father of the child and his current address is 4339 Cartegena Way, Las Vegas, Nevada 89121.

4. The opposing party is the maternal aunt and uncle of the child and her current address is 1216 Silver Lake Drive, Las Vegas, NV 89108.

5. There is not another person who has been awarded custody or visitation in the child custody determination begin sought to be registered.

6. The out-of-state child custody determination GABINO GUARDADO is petitioning to have registered, to the best of counsel's knowledge and belief, is valid, enforceable, and has not been modified, vacated or stayed.

Submitted by:
ROSENBLUM LAW OFFICES

MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
7375 S Pecos Rd Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com

VERIFICATION

STATE OF NEVADA)
ss.
COUNTY OF CLARK)

GABINO GUARDADO,, being first duly sworn according to law, deposes and says: That the undersigned is the Defendant in the above entitled action; that Defendant has read the above and foregoing *PETITION* and knows the contents thereof; that the same is true of Defendant's own knowledge, except for any matters therein stated upon information and belief, and as to those matters therein stated, Defendant believes them to be true.

Gabino Guardado A.
GABINO GUARDADO,

SUBSCRIBED and SWORN to before me
this 17 day of January, 2020

NOTARY PUBLIC
in and for said County and State

NOTARY PUBLIC
SHEILA TAJBAKHSH
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. APR. 13, 2021
No: 17-2062-1

ACKNOWLEDGMENT

STATE OF NEVADA)
ss.
COUNTY OF CLARK)

On this 17 day of January, 2020, GABINO GUARDADO, personally appeared before me, a Notary Public, known (or proved) to me to be the person who executed the *PETITION*, and who acknowledged to me that they did so freely and voluntarily and for the uses and purposes herein stated

SUBSCRIBED and SWORN to before me

this 17 day of January, 2020.

NOTARY PUBLIC
in and for said County and State

NOTARY PUBLIC
SHEILA TAJBAKHSH
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. APR. 13, 2021
No: 17-2062-1

EXHIBIT "1"

NORTH CAROLINA
CRAVEN COUNTY

FILED

2017 MAR -2 P 4:51

CRAVEN CO., C.S.C.

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO.: 16 CVD 310

ANA M. SALAS and husband,
TYLER KYLE EDENFIELD,

Plaintiff

Vs.

PAOLA LETICIA SALAS and
GABINO GUARDADO,

Defendant

CUSTODY ORDER

THIS MATTER came on for hearing before the undersigned District Court Judge presiding over the Decmeber 13, 2016 term of the Craven County Civil District Court upon plaintiffs' complaint seeking custody of the defendant's minor child. After a review of the file and hearing arguments of counsel of plaintiffs, the Court makes the following:

FINDINGS OF FACT:

1. This action was begun by the filing of a complaint by plaintiffs on March 8, 2016 seeking temporary and permanent custody of the defendant's minor child.

2. On April 8, 2016, plaintiffs filed their Amended Complaint and were granted a Temporary Custody Order awarding them the temporary custody of the minor child, Yasline Alejandra Guardado-Salas, pending further orders of this Court.

3. Defendants were served by publication as required by publication of the notice in the Las Vegas Review Journal and/or Las Vegan Sun daily newspaper on April 20, 2016, April 27, 2016 and May 4, 2016.

4. Plaintiffs filed their Motion to Dispense with Mediation on September 8, 2016 and that Motion was heard on October 11, 2016. At that time, an Order was entered by The Honorable Paul Quinn, District Court dispensing with mediation in this matter.

5. This matter was calendared for hearing on the permanent custody issue on December 12, 2016 before the Craven County Civil District Court.

6. The plaintiffs were present and were represented by William F. Ward, III of the firm of Ward, Smith & Norris, P.A. Defendants were not present nor were they represented by counsel.

7. The plaintiffs are citizens and residents of Craven County, North Carolina and have been for at least six months next preceding the institution of this action.

8. The defendant, Paola Leticia Salas, hereinafter referred to as "defendant Salas," was last known to be resident of the State of Nevada. Her current whereabouts are unknown. She is the sister of the plaintiff, Ana M. Salas.

9. The defendant, Gabino Guardado, hereinafter referred to as "defendant Guardado," was last known to be a resident of the State of Nevada. His current whereabouts are unknown.

10. The defendants are the parents of a minor child, to wit: Yasline Alejandra Guardado-Salas, born on February 9, 2014.

11. Plaintiffs are fit and proper persons to have the exclusive physical and legal care, custody and control of the defendants' minor child, and it is in the best interest of the minor child that her exclusive physical and legal care, custody and control be placed with the plaintiffs.

2. North Carolina has jurisdiction over the minor child pursuant to the provisions of North Carolina General Statue § 50A-3(a)(1)(2) and (3).

3. Plaintiffs are fit and proper persons to have exclusive custody and care of the minor child of the defendants.

4. The defendants, by their actions and inactions, have surrendered all parenting responsibilities of this child to the plaintiffs. They have failed to adequately financially or emotionally support the child and have not seen the child since October, 2015 thereby abandoning the child.

5. It is in the best interest of the minor child for the plaintiffs to have exclusive physical and legal custody of the minor child.

5. Any visitation between the defendants and the minor child shall be at the discretion and control of the plaintiffs and shall be supervised by plaintiffs.

Based upon the foregoing Findings of Fact and Conclusions of Law, **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** as follows:

1. North Carolina has jurisdiction over the minor child pursuant to the provisions of North Carolina General Statue § 50A-3(a)(1)(2) and (3).

2. That the plaintiffs are awarded the exclusive physical and legal custody of the defendants' minor child.

3. That the defendants' physical visitation with the minor child is to be under the plaintiffs' discretion, control and supervision.

4. That the defendants may have telephone and electronic contact with the minor child under the plaintiffs' discretion and control.

5. That this Order shall be enforced by any local law enforcement agency.

12. Plaintiffs have been the primary caretakers for the child since October 13, 2015 when defendant Salas requested plaintiffs to come get the child from Nevada. At that time, defendant Salas was homless, had a substance abuse problem and was wanted by the courts.

13. Defendants have had little to no contact with the plaintiffs or the minor child since October 13, 2015. Subsequently, defendant Guardado did, on several occasions, send the plaintiffs small amounts of money for the benefit of the minor child, but nothing has been sent in over a year.

14. Defendants have abandoned the minor child in the care of the plaintiffs. They have, by their actions, surrendered all responsibilities and parenting of the minor child to the plaintiffs. This conduct is inconsistent with and contrary to the constitutionally protected status of natural parents.

15. Defendant Salas has absconded from probation and is currently on the run from authorities.

16. Based upon past history and information and belief, defendant Salas is addicted to illegal drugs and is unable to care for this minor child.

17. The Defendants are not suitable or proper persons to have the care, custody and control of the minor child.

18. North Carolina is the "home state" of the minor child as that term has been defined by North Carolina General Statute Section 50A and North Carolina has jurisdiction to determine the custody of the child.

Based on the foregoing Findings of Fact, the Court makes the following:

CONCLUSIONS OF LAW:

1. This court has jurisdiction over the parties and the subject matter hereto.

This the 20th day of Feb., 2017 for December 13, 2016.

DISTRICT COURT JUDGE

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1/27/2020 10:53 AM
Steven D. Grierson
CLERK OF THE COURT

MOT
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE A. KING, ESQ.
Nevada Bar No. 14557
ROSENBLUM LAW OFFICES
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C** **ORAL ARGUMENT REQUESTED: YES**

NOTICE: YOU ARE REQUIRED TO FILE A WRITTEN RESPONSE TO THIS MOTION WITH THE CLERK OF THE COURT AND TO PROVIDE THE UNDERSIGNED WITH A COPY OF YOUR RESPONSE WITHIN 10 DAYS OF YOUR RECEIPT OF THIS MOTION. FAILURE TO FILE A WRITTEN RESPONSE WITH THE CLERK OF THE COURT WITHIN 10 DAYS OF YOUR RECEIPT OF THIS MOTION MAY RESULT IN THE REQUESTED RELIEF BEING GRANTED BY THE COURT WITHOUT A HEARING PRIOR TO THE SCHEDULED HEARING DATE.

MOTION TO MODIFY CHILD CUSTODY GRANTING DEFENDANT SOLE LEGAL, SOLE PHYSICAL CUSTODY, CHILD SUPPORT AND FOR ATTORNEY FEES AND COSTS

COMES NOW Defendant, GABINO GUARDADO, by and through his attorneys, of ROSENBLUM LAW OFFICES, and hereby moves this Honorable Court for an Order Modifying the child custody provisions within the parties

Decree of Divorce.

This Motion is made and based upon all of the papers and pleadings on file herein, the following Memorandum of Points and Authorities, the Affidavit of Counsel herein submitted herewith, and any argument which may adduced at the time of hearing.

DATED this 21 day of January 2020.

By _____

MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE A. KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
Attorney for Defendant
in an Unbundled Capacity

NOTICE OF MOTION

TO: ANA SALAS and TYLER EDENFIELD , PLAINTIFF:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the foregoing motion will come on for hearing before the above-entitled Court on the _____ day of _____, 2019, at the hour of _____ _____.m. in Courtroom No. ___,

DATED this 21 day of January, 2020.

MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE A. KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
Attorney for Defendant
in an Unbundled Capacity

MEMORANDUM OF POINTS AND AUTHORITIES

I.

STATEMENT OF FACTS

For the purpose of a factual background, the parties to this action are Plaintiff, Ana Salas, ("Plaintiff"), and Defendant, Gabino Guardado, ("Defendant"). The Plaintiff is the maternal Aunt of the minor child's natural mother, who has fled the country and her whereabouts are unknown. The minor in question is Yasline Guardado-Salas, born February 9, 2014, now age five (5). Defendant is on the birth certificate as father of the minor child.[1]

Factual History

Defendant was living in North Carolina with the minor child's natural mother. It was during this time that Defendant was afforded an amazing opportunity to move to Oklahoma to work in the oil fields, this opportunity was one that would provide him with substantial income and an ability to better provide for his family.

Once Defendant left North Carolina in 2015, he believed that the mother of his child would continue to provide for her care and comfort while he was away for at least thirty-six months (36). Unfortunately, this was not what happened.

At some point, the exact date is unknown to the Defendant, the natural mother decided to "sign" custody of the minor child over to Plaintiff. The execution of this occurred on October 9, 2015.[2]

Following this, it is believed that the natural mother had legal trouble, once Defendant left the state and natural mother fled to her birth country of Mexico and/or was deported. Following this on March 2, 2017, in North

[1] See Exhibit "A" Defendant Exhibit Appendix
[2] See Exhibit "B" Defendant Exhibit Appendix

Carolina a Court in Craven County issued a Custodial Order which formalized Plaintiff's custody over Defendant's child.[3]

Following this, Plaintiff and her then husband divorced, and it is believed the husband is currently homeless, addicted to substances and living in a car. Plaintiff herself has, on multiple occasions, left the minor child unattended for extended periods or in the care of others while she engages in a pattern of prostitution or escorting.[4]

While Defendant knows and has a relationship with his daughter, he can no longer not have her in his care as he is living in Las Vegas, employed and able to care for her[5]. There have never been any concerns regarding his ability to parent, in fact he did not even know of the proceedings in North Carolina, until December 15, 2019.

Defendant, was informed his child was left in the care of a relative and Plaintiff had "took off." Defendant went, retrieved the child and lived normally, several days later, Plaintiff arrived with the police and the attached custody order and took the child from Defendant[6].

Defendant has been misled and taken advantage of by Plaintiff, due to Defendant's limited ability to understand and speak English, and limited education, Plaintiff has always informed him of what has to happen. Once Defendant was informed by his family and friends of Plaintiff conduct and misrepresentation's he engaged the services of an attorney to fight for his child as that is all he cares about in this matter.

. . .

. . .

. . .

. . .

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[3] See Exhibit "C" Defendant Exhibit Appendix
[4] See Exhibit "D" Defendant Exhibit Appendix
[5] See Exhibit "E" Defendant Exhibit Appendix
[6] See Exhibit "F" Defendant Exhibit Appendix

II.

LEGAL ARGUMENT

A. NEVADA DOES HAVE UCCJEA JURISDICTION OVER YASLINE

Subject matter jurisdiction over child custody is governed by the UCCJEA. It is not discretionary. The UCCJEA limits the custody determination power to one court, usually the "home state" court, and gives that court the authority to make custody determinations, even though more than one court may have personal jurisdiction over the parties and a legitimate interest in the parent-child relationship.

Since at least January 1, 2019, Yasline has been a resident of Nevada. In accordance with NRS 125A, Nevada is Yasline's "home state". This is the case, as the statute requires the child to live in Nevada for six consecutive months which has been satisfied in this instant matter.

The only wrinkle to iron out is North Carolina's continuing exclusive jurisdiction over the minor child.

B. AT THE VERY LEAST, A UCCJEA CONFERENCE SHOULD BE HELD BETWEEN THE NEW HAMPSHIRE AND NEVADA COURTS

In the event that Nevada is not comfortable simple exercising subject matter jurisdiction, it should at least confer with the North Carolina Court pursuant to NRS 125A.355(2), which provides:

> 2. Except as otherwise provided in NRS 125A.335, a court of this state, before hearing a child custody proceeding, shall examine the court documents and other information supplied by the parties pursuant to NRS 125A.385. If the court determines that a child custody proceeding has been commenced in a court in another state having jurisdiction substantially in accordance with the provisions of this chapter, the court of this state shall stay its proceeding and

> **communicate with the court of the other state.** If the court of the state having jurisdiction substantially in accordance with the provisions of this chapter does not determine that the court of this state is a more appropriate forum, the court of this state shall dismiss the proceeding.
> . . .

NRS 125A.275 supplies additional authority for fostering communication between courts to ensure that the policy objectives of the UCCJEA are served.

At minimum, this Court should communicate with the North Carolina Court to make a fully reasoned determination regarding jurisdiction over the minor child. The refusal by any court in another State to acknowledge the law does not excuse this Court from applying it.

C. THE CUSTODIAL ARRAINGEMENT AS SET FORTH BY THE FRAUDULENTLY OBTAINED CUSTODIAL ORDER SHOULD BE MODIFIED.

Primary physical custody may be modified when (1) there has been a substantial change of circumstances affecting the welfare of the child, and (2) the modification would serve the child's best interests. *Ellis v. Carucci*, 123 Nev. 145, 153 (2007). The Nevada Supreme Court clarified that the substantial change in circumstances that must have occurred to warrant a modification from primary should regard a change in the circumstances of the child or the family unfit as a whole. *Ellis* at 151.

Here, Plaintiff obtained a custodial order without actually providing information regarding the action to Defendant. Despite Plaintiff fraudulently obtained custodial order, the substantial change in circumstance here is the habitual pattern of abandonment of the minor child and the fact that Plaintiff left the minor child to engage in prostitution in California and the minor child was returned to Defendant care as Child Protective Services was becoming involved.

The Nevada Supreme Court has consistently held that "in custody matters, the polestar for judicial decision is the best interest of the child". See

NRS 125C.0035, and *Scwartz v. Schwartz.*, 107 Nev. 378, 382.

NRS 125C.0035 states, in pertinent part:

NRS 125C.0035 Best interests of child: Joint physical custody; preferences; presumptions when court determines parent or person seeking custody is perpetrator of domestic violence or has committed act of abduction against child or any other child.

1. In any action for determining physical custody of a minor child, the sole consideration of the court is the best interest of the child. If it appears to the court that joint physical custody would be in the best interest of the child, the court may grant physical custody to the parties jointly.

2. Preference must not be given to either parent for the sole reason that the parent is the mother or the father of the child.

3. The court shall award physical custody in the following order of preference unless in a particular case the best interest of the child requires otherwise:

(a) To both parents jointly pursuant to NRS 125C.0025 or to either parent pursuant to NRS 125C.003. If the court does not enter an order awarding joint physical custody of a child after either parent has applied for joint physical custody, the court shall state in its decision the reason for its denial of the parent's application.

(b) To a person or persons in whose home the child has been living and where the child has had a wholesome and stable environment.

(c) To any person related within the fifth degree of consanguinity to the child whom the court finds suitable and able to provide proper care and guidance for the child, regardless of whether the relative resides within this State.

(d) To any other person or persons whom the court finds suitable and able to provide proper care and guidance for the child.

4. In determining the best interest of the child, the court shall consider and set forth its specific findings concerning, among other things:

(a) The wishes of the child if the child is of sufficient age and capacity to form an intelligent preference as to his or her physical custody.

(b) Any nomination of a guardian for the child by a parent.

(c) Which parent is more likely to allow the child to have frequent associations and a continuing relationship with the noncustodial parent.

(d) The level of conflict between the parents.

(e) The ability of the parents to cooperate to meet the needs of the child.

(f) The mental and physical health of the parents.

(g) The physical, developmental and emotional needs of the child.

(h) The nature of the relationship of the child with each parent.

(i) The ability of the child to maintain a relationship with any sibling.

(j) Any history of parental abuse or neglect of the child or a sibling of the child.

(k) Whether either parent or any other person seeking physical custody has engaged in an act of domestic violence against the child, a parent of the child or any other person residing with the child.

(l) Whether either parent or any other person seeking physical custody has committed any act of abduction against the child or any other child.

Further, this Court is vested with broad and sound discretion concerning

child custody matters. NRS 125.510; *Rooney v. Rooney*, 109 Nev. 540, 853 P.2d 123 (1993), and the exercise of this discretion will not be disturbed on appeal unless clearly abused. *Primm v. Lopes*, 109 Nev. 502, 504, 853 P.2d 103, 104 (1993); *Gilbert v. Warren*, 95 Nev. 296, 594 P.2d 696 (1979); *Culbertson*, supra; *Noble v. Noble*, 86 Nev. 459, 470 P.2d 430 (1970); *Fenkell v. Fenkell*, 86 Nev. 397, 469 P.2d 701 (1970).

(a) The wishes of the child if the child is of sufficient age and capacity to form an intelligent preference as to his or her custody.

Here, Yasline is five (5). While she loves her father, knows her father and want to be with her father, she is too young to form an articulable preference. As such this factor does not weigh in favor of either party.

(b) Any nomination by a parent or a guardian for the child.

No nomination has been levied in this instant matter by either party. As such, this is not a factor in this matter.

(c) Which parent is more likely to allow the child to have frequent associations and a continuing relationship with the non-custodial schedule parent.

Here, Plaintiff does not have stable housing, stable work or a consistent schedule. Due to this, she is unable to facilitate any form of visitation. Moreover, Plaintiff, refuses communication with Defendant and regularly misrepresents information to him in the hopes he will not fight her. As such, this factor should weigh in favor of Defendant.

(d) The level of conflict of between the parties.

While there is disagreement between the parties, the level of conflict is not such that they cannot utilize a schedule with limited exchanges and interactions.

(e) The ability of the parents to cooperate to meet the needs of the children.

If Plaintiff would communicate with Defendant and be honest, they

would be able to cooperate and meets Yasline's needs. Until such time that Plaintiff is willing to communicate this factor must weigh in favor of Defendant.

(f) The mental and physical health of the parents.

While both parents are seemingly fit mentally and physically, the concern for Defendant is Plaintiff's ongoing decisions to expose the minor child random people for the purpose of continue her elicit lifestyle and employment. As such, this factor should weigh in favor of Defendant.

(g) The physical, developmental and emotional needs of the child

Yasline is five, she is in constant need for stability, consistency and security. Plaintiff regularly leaves the child alone for her own benefit, moves constantly, and is not in a position to develop vital skills as she is approaching school age. Based on the fact that Plaintiff is either unable or unwilling to provide Yasline with the consistency necessary at her age, it is Defendant's concern she will quickly fall behind in school if she actually attends. As such, this factor must weigh in favor Defendant, as he has maintained the same apartment, consistent, legal employment, and only focus is the wellbeing and development of Yasline.

(h) The nature of the relationship of the child with each parent.

Here, the minor child has lived with Plaintiff for over two years, however she has a loving relationship with Defendant and is bonded to Defendant as her father.

(i) The ability of the child to maintain a relationship with any sibling.

This is not a factor in this case.

(j) Any history of parental abuse or neglect of the child or a sibling of the child.

While there is no convictions or changes related to neglect or abuse.

. . .

. . .

. . .

(k) Whether either parent or any other person seeking physical custody has engaged in an act of domestic violence against the child, a parent of the child or any other person residing with the child.

This is not a factor in this instant matter.

(l) Whether either parent seeking custody has committed any act of adduction against the child.

This is not a factor in this matter.

Based on the factors as outlined herein, a modification of the parties' custodial arraignment is proper wherein, Defendant should be granted sole custody of the minor child as he is the biological father of the child and able and willing to care for her.

Should the Court not be inclined to grant sole custody to Defendant the parties should be granted joint legal custody, with joint physical custody and a schedule determined in mediation or by this Court.

D. CHILD SUPPORT SHOULD BE MODIFIED

In Nevada, child support is a basic calculation.

NRS 125B.070 Amount of payment: Definitions; adjustment of presumptive maximum amount based on change in Consumer Price Index.

1. As used in this section and NRS 125B.080, unless the context otherwise requires:
(a) "Gross monthly income" means the total amount of income received each month from any source of a person who is not self-employed or the gross income from any source of a self-employed person, after deduction of all legitimate business expenses, but without deduction for personal income taxes, contributions for retirement benefits, contributions to a pension or for any other personal expenses.
(b) "Obligation for support" means the sum certain dollar amount determined according to the following schedule:
(1) For one child, 18 percent;
(2) For two children, 25 percent;
(3) For three children, 29 percent;
(4) For four children, 31 percent; and
(5) For each additional child, an additional 2 percent,
of a parent's gross monthly income, but not more than the presumptive maximum amount per month per child set forth for the parent in subsection 2 for an obligation for support determined pursuant to subparagraphs (1) to (4), inclusive, unless the court sets forth findings

of fact as to the basis for a different amount pursuant to subsection 6 of NRS 125B.080.

2. For the purposes of paragraph (b) of subsection 1, the presumptive maximum amount per month per child for an obligation for support, as adjusted pursuant to subsection 3, is:

INCOME RANGE If the Parent's Gross Monthly Income Is at Least	But Less Than	PRESUMPTIVE MAXIMUM AMOUNT The Presumptive Maximum Amount Parent May Be Required to Pay per Month per Child Pursuant to Paragraph (b) of Subsection 1 Is
$0	- $4,235	$711
$4,235	- $6,351	$781
$6,351	- $8,467	$855
$8,467	- $10,585	$924
$10,585	- $12,701	$ 995
$12,701	- $14,816	$1,065
$14,816	- No Limit	$1,138

If a parent's gross monthly income is equal to or greater than $14,583, the presumptive maximum amount the parent may be required to pay pursuant to paragraph (b) of subsection 1 is $800.

3. The presumptive maximum amounts set forth in subsection 2 for the obligation for support must be adjusted on July 1 of each year for the fiscal year beginning that day and ending June 30 in a rounded dollar amount corresponding to the percentage of increase or decrease in the Consumer Price Index (All Items) published by the United States Department of Labor for the preceding calendar year. On April 1 of each year, the Office of Court Administrator shall determine the amount of the increase or decrease required by this subsection, establish the adjusted amounts to take effect on July 1 of that year and notify each district court of the adjusted amounts.

4. As used in this section, "Office of Court Administrator" means the Office of Court Administrator created pursuant to NRS 1.320.

(Added to NRS by 1987, 2267; A 1991, 1334; 2001, 1865; 2003, 101, 342).

Defendant is not seeking child support, however should this Court deem it necessary to levy it should be calculated following the determination of child custody in accordance with all applicable statues.

E. DEFENDANT SHOULD BE AWARDED ATTORNEY'S FEES FOR BRINGING THIS MOTION

Plaintiff is simply being unreasonable. But for Plaintiff conduct Defendant would not have needed to seek court intervention. NRS 18.010 Governs an award of attorney fees, it states:

NRS 18.010. Award of attorney's fees.

1. The compensation of an attorney and counselor for his services is governed by agreement, express or implied, which is not restrained by law.

2. In addition to the cases where an allowance is authorized by specific statute, the court may make an allowance of attorney's fees to a prevailing party:

a. When he has not recovered more than $20,000; or

b. Without regard to the recovery sought, when the court finds that the claim, counterclaim, crossclaim or third-party complaint or defense of the opposing party was brought without reasonable ground or to harass the prevailing party.

3. In awarding attorney's fees the court may pronounce its decision on the fees at the conclusion of the trial or special proceeding without written motion and with or without presentation of additional evidence.

4. No oral application or written motion for attorney's fees alters the effect of a final judgment entered in the action or the time permitted for an appeal therefrom.

5. Subsections 2, 3 and 4 do not apply to any action arising out of a written instrument or agreement which entitles the prevailing party to an award of reasonable attorney's fees.

Miller v. Wilfong, 119 P.3d 727 (2005) addresses an award of attorney's fees in family law cases. Furthermore, in considering an award of attorney's fees, the trial court has discretion to determine the reasonableness of the request and in exercising that discretion, the court must evaluate the factors set forth in *Brunzell v. Golden Gate National Bank*, 85 Nev. 345 (1969). Under *Brunzell*, the Court must consider various factors, including the qualities of the advocate, the character and difficulty of the work performed, the work actually performed by the attorney, and the result obtained.

Here, counsel has successfully litigated countless cases in the Family Division of the Eighth Judicial District Court, Clark County, State of Nevada. Counsel has tried numerous cases. All substantive work in this matter was performed by Counsel. The legal work required herein did require a review of the factual history and several key Nevada cases as to the issues presented.

Furthermore, Defendant contends that has Plaintiff not misrepresented facts, and obtained a custodial order without notice the present motion would

not be necessary. Plaintiff caused this motion to be filed and as such should be required to pay Defendant's fees.

III.

CONCLUSION

Based upon the foregoing reasons, Defendant respectfully respects that this Honorable Court grant her motion in its entirety.

DATED this 21 day of January 2020.

ROSENBLUM LAW OFFICES

MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE A. KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
Attorney for Defendant
in an Unbundled Capacity

VERIFICATION

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

GABINO GUARDADO, first being duly sworn, deposes and says:

That he is the Defendant in the above-entitled action; that he has read the above and foregoing MOTION and knows the contents thereof; and that the same is true of his own knowledge, except as to those matters therein stated on information and belief, and as to those matters he believes them to be true.

Gabino Guardado A.
GABINO GUARDADO

SUBSCRIBED and SWORN before me this 17 day of January 2020

NOTARY PUBLIC in and for said County and State

NOTARY PUBLIC
SHEILA TAJBAKHSH
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. APRL 13, 2021
No: 17-2062-1

ACKNOWLEDGEMENT

STATE OF NEVADA)
)ss.
COUNTY OF CLARK)

On this 17 day of January 2020, before me, the undersigned Notary Public in and for the said County and State, personally appeared **GABINO GUARDADO**, known to me to be the person described in and who executed the foregoing Motion, and who acknowledged to me that he did so freely and voluntarily and for the uses and purposes therein mentioned.

WITNESS my hand and official seal.

NOTARY PUBLIC

MOFI

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA SALAS AND TYLER EDENFIELD
Plaintiff/Petitioner

v.

GABINO GUARDADO
Defendant/Respondent

Case No. D-20-602873-F

Dept. C

MOTION/OPPOSITION FEE INFORMATION SHEET

Notice: Motions and Oppositions filed after entry of a final order issued pursuant to NRS 125, 125B or 125C are subject to the reopen filing fee of $25, unless specifically excluded by NRS 19.0312. Additionally, Motions and Oppositions filed in cases initiated by joint petition may be subject to an additional filing fee of $129 or $57 in accordance with Senate Bill 388 of the 2015 Legislative Session.

Step 1. Select either the $25 or $0 filing fee in the box below.

☐ **$25** The Motion/Opposition being filed with this form is subject to the $25 reopen fee.

-OR-

☒ **$0** The Motion/Opposition being filed with this form is not subject to the $25 reopen fee because:

☒ The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.

☐ The Motion/Opposition is being filed solely to adjust the amount of child support established in a final order.

☐ The Motion/Opposition is for reconsideration or for a new trial, and is being filed within 10 days after a final judgment or decree was entered. The final order was entered on _____.

☐ Other Excluded Motion (must specify) _____.

Step 2. Select the $0, $129 or $57 filing fee in the box below.

☒ **$0** The Motion/Opposition being filed with this form is not subject to the $129 or the $57 fee because:

☒ The Motion/Opposition is being filed in a case that was not initiated by joint petition.

☐ The party filing the Motion/Opposition previously paid a fee of $129 or $57.

-OR-

☐ **$129** The Motion being filed with this form is subject to the $129 fee because it is a motion to modify, adjust or enforce a final order.

-OR-

☐ **$57** The Motion/Opposition being filing with this form is subject to the $57 fee because it is an opposition to a motion to modify, adjust or enforce a final order, or it is a motion and the opposing party has already paid a fee of $129.

Step 3. Add the filing fees from Step 1 and Step 2.

The total filing fee for the motion/opposition I am filing with this form is:
☒ **$0** ☐ **$25** ☐ **$57** ☐ **$82** ☐ **$129** ☐ **$154**

Party filing Motion/Opposition: GABINO GUARDADO (DEFENDANT) Date 01/247/2020

Signature of Party or Preparer Claire Munoz

Electronically Filed
1/27/2020 10:53 AM
Steven D. Grierson
CLERK OF THE COURT

EXHS
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE A. KING, ESQ.
Nevada Bar No. 14557
ROSENBLUM LAW OFFICES
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C** **ORAL ARGUMENT REQUESTED: YES**

EXHIBIT APPENDIX IN SUPPORT OF DEFENDANT'S MOTION TO MODIFY CHILD CUSTODY GRANTING DEFENDANT SOLE LEGAL, SOLE PHYSICAL CUSTODY, CHILD SUPPORT AND FOR ATTORNEY FEES AND COSTS

COMES NOW the Defendant, GABINO GUARDADO ("Gabino") by and through his counsel, KYLE A. KING, ESQ., of ROSENBLUM LAW OFFICES, and hereby submits his exhibits in support of his Motion as follows:

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Exhibit A: Birth Certificate of YASLINE GUARDADO-SALAS;

Exhibit B: Agreement between Natural Mother and Maternal Aunt;

Exhibit C: Fraudulently Obtained Custodial Order from North Carolina;

Exhibit D: Facebook Messages regarding Plaintiff's "Cuddling Company";

Exhibit E: Defendant's Lease Agreement

Exhibit F: Copy of Metropolitan Incident Card.

Dated this **Tuesday, January 21, 2020**.

Submitted by:
ROSENBLUM LAW OFFICES

MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
Email: staff@rosenblumlawlv.com
Attorney for Plaintiff
in an Unbundled Capacity

EXHIBIT "A"

STATE OF NEVADA
CERTIFICATION OF VITAL RECORD

DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH
VITAL STATISTICS

3759140
CASE FILE NO.

CERTIFICATE OF LIVE BIRTH

2014004108
STATE FILE NUMBER

CHILD

1. CHILD NAME (First, Middle, Last, Suffix): Yasline Alejandra GUARDADO-SALAS
2. DATE OF BIRTH (Mo, Day, Yr): February 9, 2014
3. TIME OF BIRTH: 05:57 (24Hr)
4. SEX: F
5. FACILITY NAME (If not institution, give street and number): 1294 E Hacienda Avenue Apt#c
6. CITY, VILLAGE, OR LOCATION OF BIRTH: Las Vegas
7. COUNTY OF BIRTH: Clark

MOTHER

8a. MOTHER/PARENT CURRENT LEGAL NAME (First, Middle, Last): Paola Leticia SALAS
8b. DATE OF BIRTH (Mo/Day/Yr): April 05, 1990
8c. AGE: 23
9. MOTHER'S NAME PRIOR TO FIRST MARRIAGE (Last, Suffix): SALAS
10. BIRTHPLACE (State, Territory, or Foreign Country): Mexico
11a. RESIDENCE OF MOTHER-STATE: Nevada
11b. COUNTY: Clark
11c. CITY, TOWN, OR LOCATION: Las Vegas
11d. STREET AND NUMBER: 1294 E Hacienda Avenue
11e. APT. NO.: C
11f. ZIP CODE: 89119
11g. INSIDE CITY LIMITS? [X] Yes [ ] No

FATHER

12a. FATHER/PARENT CURRENT LEGAL NAME (First, Middle, Last, Suffix): Gabino Alanis GUARDADO
12b. DATE OF BIRTH (Mo/Day/Yr): January 07, 1984
12c. AGE: 30
12d. BIRTHPLACE (State, Territory, or Foreign Country): Mexico

CERTIFIER & ATTENDANT

13a. CERTIFIER'S NAME: Rhonda Pena
TITLE [ ] MD [ ] DO [ ] HOSPITAL ADMIN [ ] CNM/CM [ ] OTHER MIDWIFE [ ] MEDICAL RECORDS TECHNICIAN [X] OTHER (Specify) STATE REGISTRAR

14a. ATTENDANT'S NAME: Yasmit Requena
ATTENDANT'S ADDRESS: 4132 Harris Avenue, Las Vegas NV 89110
TITLE [ ] MD [ ] DO [ ] CNM/CM [X] OTHER MIDWIFE [ ] OTHER (Specify)

15a. CERTIFIER OR ATTENDANT'S SIGNATURE: Rhonda Pena SIGNATURE AUTHENTICATED
15b. DATE CERTIFIED: 02 / 25 / 2014 (MM DD YYYY)

REGISTRAR

16a. REGISTRAR'S SIGNATURE: Dusty Dunn SIGNATURE AUTHENTICATED
16b. DATE FILED BY REGISTRAR: 02 / 25 / 2014 (MM DD YYYY)

"CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE DOCUMENT ON FILE WITH THE REGISTRAR OF VITAL STATISTICS, STATE OF NEVADA." This copy was issued by the Southern Nevada Health District from State certified documents authorized by the State Board of Health pursuant to NRS 440.175.

DATE ISSUED: DEC 13 2019

Registrar of Vital Statistics
By: [signature]

This Copy not valid unless prepared on engraved border displaying date, seal and signature of Registrar.
SOUTHERN NEVADA HEALTH DISTRICT • P.O. Box 3902 • Las Vegas, NV 89127 • 702-759-1010 • Tax ID # 88-0151573

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

EXHIBIT "B"

I Paola Leticia Salas Juarez give
Ana Maria Salas Temporary Custody of
Yasline Alejandra Guardado Salas
As of 9th of October, 2015 Until
Further Notice this will be for medical.
Day Care. Legal, Financial Responsibilities
and, educational decisions
this is a temporary custody.

X

X Ana Salas.

X

X Paola Salas.

Subscribed and sworn to before me this 9th
day of October, 2015

Notary

My Commission Expires

CECELIA SPAIN
NOTARY
09007717
EXP. 09/15/17
PUBLIC
STATE OF OKLAHOMA

EXHIBIT "C"

NORTH CAROLINA
CRAVEN COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO.: 16 CVD 310

FILED
2017 FEB -2 P 4:51
CRAVEN CO., C.S.C.

ANA M. SALAS and husband,
TYLER KYLE EDENFIELD,

Plaintiff

Vs.

PAOLA LETICIA SALAS and
GABINO GUARDADO,

Defendant

CUSTODY ORDER

THIS MATTER came on for hearing before the undersigned District Court Judge presiding over the Decmeber 13, 2016 term of the Craven County Civil District Court upon plaintiffs' complaint seeking custody of the defendant's minor child. After a review of the file and hearing arguments of counsel of plaintiffs, the Court makes the following:

FINDINGS OF FACT:

1. This action was begun by the filing of a complaint by plaintiffs on March 8, 2016 seeking temporary and permanent custody of the defendant's minor child.

2. On April 8, 2016, plaintiffs filed their Amended Complaint and were granted a Temporary Custody Order awarding them the temporary custody of the minor child, Yasline Alejandra Guardado-Salas, pending further orders of this Court.

3. Defendants were served by publication as required by publication of the notice in the Las Vegas Review Journal and/or Las Vegan Sun daily newspaper on April 20, 2016, April 27, 2016 and May 4, 2016.

4. Plaintiffs filed their Motion to Dispense with Mediation on September 8, 2016 and that Motion was heard on October 11, 2016. At that time, an Order was entered by The Honorable Paul Quinn, District Court dispensing with mediation in this matter.

5. This matter was calendared for hearing on the permanent custody issue on December 12, 2016 before the Craven County Civil District Court.

6. The plaintiffs were present and were represented by William F. Ward, III of the firm of Ward, Smith & Norris, P.A. Defendants were not present nor were they represented by counsel.

7. The plaintiffs are citizens and residents of Craven County, North Carolina and have been for at least six months next preceding the institution of this action.

8. The defendant, Paola Leticia Salas, hereinafter referred to as "defendant Salas," was last known to be resident of the State of Nevada. Her current whereabouts are unknown. She is the sister of the plaintiff, Ana M. Salas.

9. The defendant, Gabino Guardado, hereinafter referred to as "defendant Guardado," was last known to be a resident of the State of Nevada. His current whereabouts are unknown.

10. The defendants are the parents of a minor child, to wit: Yasline Alejandra Guardado-Salas, born on February 9, 2014.

11. Plaintiffs are fit and proper persons to have the exclusive physical and legal care, custody and control of the defendants' minor child, and it is in the best interest of the minor child that her exclusive physical and legal care, custody and control be placed with the plaintiffs.

2. North Carolina has jurisdiction over the minor child pursuant to the provisions of North Carolina General Statue § 50A-3(a)(1)(2) and (3).

3. Plaintiffs are fit and proper persons to have exclusive custody and care of the minor child of the defendants.

4. The defendants, by their actions and inactions, have surrendered all parenting responsibilities of this child to the plaintiffs. They have failed to adequately financially or emotionally support the child and have not seen the child since October, 2015 thereby abandoning the child.

5. It is in the best interest of the minor child for the plaintiffs to have exclusive physical and legal custody of the minor child.

5. Any visitation between the defendants and the minor child shall be at the discretion and control of the plaintiffs and shall be supervised by plaintiffs.

Based upon the foregoing Findings of Fact and Conclusions of Law, **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** as follows:

1. North Carolina has jurisdiction over the minor child pursuant to the provisions of North Carolina General Statue § 50A-3(a)(1)(2) and (3).

2. That the plaintiffs are awarded the exclusive physical and legal custody of the defendants' minor child.

3. That the defendants' physical visitation with the minor child is to be under the plaintiffs' discretion, control and supervision.

4. That the defendants may have telephone and electronic contact with the minor child under the plaintiffs' discretion and control.

5. That this Order shall be enforced by any local law enforcement agency.

12. Plaintiffs have been the primary caretakers for the child since October 13, 2015 when defendant Salas requested plaintiffs to come get the child from Nevada. At that time, defendant Salas was homless, had a substance abuse problem and was wanted by the courts.

13. Defendants have had little to no contact with the plaintiffs or the minor child since October 13, 2015. Subsequently, defendant Guardado did, on several occasions, send the plaintiffs small amounts of money for the benefit of the minor child, but nothing has been sent in over a year.

14. Defendants have abandoned the minor child in the care of the plaintiffs. They have, by their actions, surrendered all responsibilities and parenting of the minor child to the plaintiffs. This conduct is inconsistent with and contrary to the constitutionally protected status of natural parents.

15. Defendant Salas has absconded from probation and is currently on the run from authorities.

16. Based upon past history and information and belief, defendant Salas is addicted to illegal drugs and is unable to care for this minor child.

17. The Defendants are not suitable or proper persons to have the care, custody and control of the minor child.

18. North Carolina is the "home state" of the minor child as that term has been defined by North Carolina General Statute Section 50A and North Carolina has jurisdiction to determine the custody of the child.

Based on the foregoing Findings of Fact, the Court makes the following:

CONCLUSIONS OF LAW:

1. This court has jurisdiction over the parties and the subject matter hereto.

This the 20th day of Feb., 2017 for December 13, 2016.

DISTRICT COURT JUDGE

EXHIBIT "D"

About Friends (31) Karma (37)

About me

**I'm currently dealing with a family emergency. I wont be available until further notice. Sorry for the inconvenience. Happy holidays!!!

Greetings my fellow cuddlers!!! I'm Aimi and I have been cuddling for a little over a year now. Cuddling for me is very special. It actually helps me cause often I feel alone and when I get the opportunity to cuddle with someone, it's like an adventure because everyone is so unique in their own ways and I get that. My favorite cuddle position is being the little spoon. That position makes me feel like a teddy bear ☺☺
If you're interested in cuddling with me, dont be shy, send me a message and as long as our schedules align, we're golden ☺☺

*Some of my photos are random because I love to live for the moment as well as capturing my lifestyle through a simple photograph that we can later smile about.

P.s. if you'd like to see me I will ask for you to cover my traveling expenses.

Rates & Services

1 Hour+	$ 80

Facts

Last Online	6 seconds ago	Height	5' 10"
Joined	June 2018	Body Type	Average
Gender	Men	Car Owner	No
Cuddle	Host, Guest, Public	Pets	Cat
Cuddle Days	Sun, Mon, Tue, Wed, Thu, Fri, Sat	Drinks	Socially
		Smokes	No
Cuddle Times	Morning, Afternoon, Evening, Night	Ethnicity	Hispanic/Latino
		Religion	Other
Favorite Games	Truth or Dare	Children	Has a child
Favorite Shows	The 100		

41

Ana Salas Employment information page.

Inbox Sent Message

bigdaddy

Delete Conversation

Show Past Messages

bigdaddy agreed to the Cuddle Rules on 9 Dec 2019

For sure hun! Thank you :)

Cinnamon girl ;) oh I really hope your well. You really are wonderful...had slot of time to realize that.

You're so awesome! Thank you :D

Date / Time 1 Hour $ 80 Request Booking

Inbox Sent Message

PonoAgape

Delete Conversation

✔ **PonoAgape** agreed to the Cuddle Rules on 9 Dec 2019

Hi Venus. Are you in Los Angeles area these days or Vegas? If in the vast L.A. area, whereabouts are you, roughly speaking? Name is Greg.

Im in Los Angeles area :)

Send new message...

Date / Time 1 Hour ▼ $ 80 Request Booking

Inbox Sent Message

PonoAgape

Delete Conversation

✔ **PonoAgape** agreed to the Cuddle Rules on 9 Dec 2019

Hi Venus. Are you in Los Angeles area these days or Vegas? If in the vast L.A. area, whereabouts are you, roughly speaking? Name is Greg.

Im in Los Angeles area :)

Send new message...

Ana Salas Profile Page

44

Inbox Sent Message

bigdaddy

Delete Conversation

Show Past Messages

bigdaddy agreed to the Cuddle Rules on 9 Dec 2019

For sure hun! Thank you :)

Cinnamon girl ;) oh I really hope your well. You really are wonderful...had slot of time to realize that.

You're so awesome! Thank you :D

45

smoothest

[illegible] California, US

Delete Conversation

Show Past Messages

smoothest agreed to the Cuddle Rules on 30 Nov 2019

I would love that! :D

You can come to me

I definitely can!!!! :D what time and date would you like me to?

46

EXHIBIT "E"

RESIDENTIAL RENTAL AGREEMENT

RECEIVED FROM: Gabino Guardado-Alanis & Suguey Rodriguez
(Hereinafter referred to as Tenant) the sum of Seven Hundred
DOLLARS ($ $700.00), evidenced by ☐ CASH ☐ CHECK ☒ MONEY ORDER ☐ CASHIERS CHECK ☐ OTHER, as a deposit which, upon acceptance of this lease-rental agreement, between Deborah Maher & Donald Maher
the Owner of the premises, hereinafter referred to as Owner, shall apply said deposit as follows:

Rent $950.00 From: 6-18-19 To: 7-18-19	Deposit Received	Balance Owing Prior to Occupancy
SECURITY DEPOSIT (Not applicable towards the last month's rent)	$700.00	$00.00
First Months Rent OTHER	$950.00	$00.00
OTHER		
TOTAL	$1,650.00	$00.00

In the event that this agreement is not accepted by the Owner or his authorized agent, within 5 days, the total deposit received shall be refunded.

Tenant hereby offers to rent from the Owner the premises situated in the City of Las Vegas, County of Clark, State of Nevada, described as 4339 Cartegena Way Las Vegas NV 89121 and consisting of 3 bed 2 bath upon the following: Single family Residencl

TERMS AND CONDITIONS

1. TERM: The term hereof shall commence on 06/18/19 and continue (check one of the following two alternatives).
   A. ☑ until 06/18/2020 for a total rent of Nine Hundred fifty DOLLARS ($ $950.00)
   B. ☐ on a month-to-month basis thereafter, until either party shall terminate the same by giving the other party 30 days written notice delivered by certified mail.
2. RENT: Rent shall be $ $950.00 per month, payable in advance, upon the 1st day of each calendar month to Owner or his authorized agent at the following address: will deposit in bank or at such other place as may be designated by Owner from time to time. In the event rent is not paid within 5 days after due date. Tenant agrees to pay a late charge of $ $50.00 plus interest at 10 % per month on the delinquent amount. Tenant further agrees to pay $ $25.00 for each dishonored bank check. The late charge period is not a grace period, and Owner is entitled to make written demand for any rent unpaid on the second day of the rental period. Any unpaid balances remaining after termination of occupancy are subject to 1 ½ % interest per month or the maximum rate allowed by law.
3. MULTIPLE OCCUPANCY: It expressly understood that this agreement is between the Owner and each signatory jointly and severally, in the event of default by any one signatory each and every remaining signatory shall be responsible for timely payment of rent and all other provisions of this agreement.
4. UTILITIES: Tenant shall be responsible for the payment of all utilities and services, except N/A, which shall be paid by Owner.
5. USE: The premises shall be used exclusively as a residence for no more than 3 persons. Guests staying more than a total of 14 days in a calendar year without written consent of Owner shall constitute a violation of this agreement.
6. ANIMALS: No animals shall be brought on the premises without prior consent of the Owner.
7. HOUSE RULES: In the event that the premises are a portion of a building containing more than one unit, Tenant agrees to abide by any and all House Rules, whether promulgated or after the execution hereof, including but not limited to, rules with respect to noise, odors, disposal of refuse, animals, parking, and use of common areas. Tenant shall not have a waterbed on the premises without prior written consent of the Owner.
8. ORDINANCES AND STATUTES: Tenant shall comply with all statutes, ordinances and requirements of all municipal, state and federal authorities now in force, or which may hereafter be in force, pertaining to the use of the premises. If you are in a rent control area, contact Rent and Arbitration Board for your legal rights.
9. ASSIGNMENT AND SUBLETTING: Tenant shall not assign this agreement or sublet any portion without prior consent of the Owner.
10. MAINTENANCE, REPAIRS OR ALTERATIONS: Tenant acknowledges that the premises are in good order and repair, unless otherwise indicated herein. Owner may at any time give Tenant a written inventory of furniture and furnishings on the premises and Tenant shall be deemed to have possession of all said furniture and furnishings in good condition and repair, unless he object thereto in writing **within five (5) days after receipt** of such inventory. Tenant shall, at his own expense, and at all times, maintain the premises in a clean and sanitary manner including all equipment, appliances, furniture and furnishings therein and shall surrender the same, at termination hereof, in as good condition as received, normal wear and tear excepted. Tenant shall be responsible for damages caused by his negligence and that of his family or invitee's and guests. Tenant shall not paint, paper or otherwise redecorate or make alterations to the premises without prior written consent of the Owner. Tenants shall irrigate and maintain any surrounding grounds, including lawns and shrubbery, and keep the same clear of rubbish or weeds, if such grounds are part of the premises and are exclusively for use of the Tenant. Tenant shall not commit any waste upon said premises, or any nuisance or act which may disturb the quiet enjoyment of any Tenant in the building.
11. INVENTORY: Any furnishings and equipment furnished by the Owner shall be set out in a special inventory. The inventory shall be signed by both

Tenant and Owner concurrently with this lease and shall be a part of this lease.

12. DAMAGES TO PREMISES: If the premises are so damaged by fire or from other causes as to render them untenantable, then either party shall have the right to terminate this lease as of the date on which such damage occurs through written notice to the other party, to be given **within fifteen (15) days after occurrence** of such damage; except that should such damage or destruction occur as a result of the abuse or negligence of Tenant, or its invitee's, then Owner only shall have the right of termination. Should this right be exercised by either Owner or Tenant, then rent for the current month shall be prorated between the parties as of the date the damage occurred and any prepaid rent and unused security deposit shall be refunded to Tenant. If this lease is not terminated, then Owner shall promptly repair the premises and there shall be a proportionate deduction of rent until the premises are repaired and ready for Tenant's occupancy. The proportionate reduction shall be based on the extent to which the making of repairs interferes with Tenants reasonable use of the premises.
13. ENTRY AND INSPECTION: Owner shall have the right to enter the premises:
    A. In case of emergency;
    B. To make necessary or agreed repairs, decorations, alterations, improvements, supply necessary or agreed services, exhibit the premises to prospective or actual purchasers, mortgagees, tenants, workmen, or contractors;
    C. When tenant has abandoned or surrendered the premises. Except under (a) and (c), entry may not be made other than during normal business hours, and without not less than 24 hours prior notice to Tenant.
14. INDEMNIFICATION: Owner shall not be liable for any damage or injury to Tenant, or any other person, or to any property, occurring on the premises or any part thereof, or in common areas thereof, unless such damage is the proximate result of the negligence or unlawful act of Owner, his agents, or his employees. Tenant agrees to hold Owner harmless from any claims for damages, no matter how caused, except for injury or damages for which Owner is legally responsible.
15. PHYSICAL POSSESSION: If Owner is unable to deliver possession of the premises at the commencement hereof, Owner shall not be liable for any damage caused thereby, nor shall this agreement be void or voidable, but Tenant shall not be liable for any rent until possession is delivered. Tenant may terminate this agreement if possession is not delivered **within** 5 **days of the commencement of the term hereof.**
16. DEFAULT: If Tenant shall fail to pay rent when due, or perform any term hereof, after not less than **five (5) days written notice** of such default given in the manner required by law, the Owner, at his option, may terminate all rights of the Tenant hereunder, unless Tenant, within said time, shall cure such default. If Tenant abandons or vacates the property, while in default of payment of rent, Owner may consider any property left on the premises to be abandoned and may dispose of the same in any manner allowed by law. In the event the Owner reasonably believes that such abandoned property has no value, it may be discarded. All property on the premises is hereby subject to a lien in favor of Owner for the payment of all sums due hereunder, to the maximum extent allowed by law. In the event of a default by Tenant, Owner may elect to:
    A. Continue the lease in effect and enforce all his rights and remedies hereunder, including the right to recover the rent as it becomes due, or;
    B. At any time, terminate all of Tenant's rights hereunder and recover from Tenant all damages he may incur by reason of the breach of the lease, including the cost of recovering the premises, and including the worth at the time of such termination, or at the time of an award if suit be instituted to enforce this provision, of the amount by which the unpaid rent for the balance of the terms exceeds the amount of such rental loss which the Tenant proves could be reasonably avoided.
17. SECURITY: The security deposit set forth, if any, shall secure the performance of the Tenant's obligation hereunder. Owner may, but shall not be obligated to, apply all portions of said deposit on account of Tenant's obligations hereunder. Any balance remaining upon termination shall be returned to Tenant. Tenant shall not have the right to apply the security deposit in payment of the last months's rent.
18. DEPOSIT REFUNDS: The balance of all deposits shall be refunded within two weeks from date possession is delivered to Owner or his Authorized Agent, together with a statement showing any charges made against such deposits.
19. ATTORNEY'S FEES: In any legal action brought by either party to enforce the terms hereof or relating to the demised premises, the prevailing party shall be entitled to all costs incurred in connection with such action, including reasonable attorney's fees.
20. WAIVER: No failure of Owner to enforce any term hereof shall be deemed a waiver. The acceptance of rent by Owner shall not waive his right to enforce any tern hereof.
21. NOTICES: Any notice which either party may give or is required to give, may be given by mailing the same, certified mail, to Tenant at the premises or to Owner at the address shown herein or at such other places as may be designated by the parties from time to time.
22. HOLDING OVER: Any holding over after expiration hereof, with the consent of Owner, shall be construed as month-to-month tenancy in accordance with the terms hereof, as applicable, until either party shall terminate the same by giving the other party thirty (30) days written notice delivered by certified mail.
23. TIME: Time is of the essence of this agreement.
24. ADDITIONAL TERMS AND CONDITIONS: Are set forth below.

    The following exhibits, if any, have been made a part of this agreement before the parties execution hereof.

    Must maintain a clean lawn/yard. NO vehicles parked in Driveway that are not in working condition, NO pets
25. ENTIRE AGREEMENT: The foregoing constitutes the entire agreement between the parties and may be modified only in writing and signed by all parties.

    The parties hereto have executed this Lease on the date first above written.

Landlord/Agent	6-18-19 Date	Tenant	6-18-19 Date
		Gabino Guardado Tenant	6-18-19 Date

LES218mk

Nevada Legal Forms & Books, Inc. (702) 870-6977
3901 West Charleston Boulevard
Las Vegas, Nevada 89102
www.legalformsrus.com

© Consult an attorney if you doubt this forms fitness for your purpose.

EXHIBIT "F"

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

- ☐ Apt. Notification
- ☐ Garage Door
- ☐ Curfew Notification
- ☐ Other
- ☐ Disturbance
- ☐ Drug Activity
- ☐ Theft
- ☐ Vandalism
- ☐ Trespassing
- ☐ Domestic Violence
- ☒ Civil Stand-by
- ☐ _____

Address	Event #
4339 CARTEGENA WAY	LLV191200068122

Apt. Name	Message
	OFFICER'S RESPONDED

REF A CUSTODY DISPUTE BETWEEN GABINO GUADALUPE ALINAS AND ANA SALAS

CONTACT CARD

Date	Time	Officer Name	P#
12/15/19	0915	A. RIDLEY	16567

LVMPD 275 (REV. 10-14) DISTRIBUTION: WHITE - SUBSTATION CARDSTOCK - CITIZEN

Electronically Filed
1/27/2020 10:53 AM
Steven D. Grierson
CLERK OF THE COURT

NOTC
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE A. KING, ESQ.
Nevada Bar No. 14557
ROSENBLUM LAW OFFICES
7375 S Pecos Rd., Ste 101
Las Vegas, NV 89120
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Respondent

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C**

NOTICE OF PETITION FOR REGISTRATION OF OUT OF STATE CHILD CUSTODY DETERMINATION

TO: Petitioner and Respondent shown at addresses in paragraphs three (3) and four (4), in the Petition for Registration;

1. A child custody order entered on March 2, 2017, in the State of North Carolina, County of Craven, was filed and registered in this Court as a foreign judgment on January 6, 2020.

. . .

2. A copy of the registered order and other related documents are attached to this notice.

3. A registered child custody determination is enforceable in Nevada as of the date of the registration in the same manner as a determination issued by a court of this state.

4. **You have 20 days from the receipt of this notice to request a hearing to contest the validity of the registered determination.**

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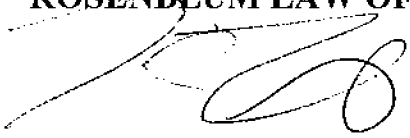
5. **Failure to contest the registration will result in the confirmation of the child custody determination and preclude further contest of that determination with respect to any matter that could have been asserted.**

STEVEN D. GRIERSON CLERK
OF COURT
By:

_____

Deputy Clerk Date
Family Courts and Services Center
601 North Pecos Road Las Vegas,
Nevada 89101
Regional Justice Center 200 Lewis
Avenue Las Vegas, Nevada 89101

Submitted by:
ROSENBLUM LAW OFFICES



MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
7375 S Pecos Rd Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com

EXHIBIT "1"

NORTH CAROLINA
CRAVEN COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO.: 16 CVD 310

FILED
2017 MAR -2 P 4:51
CRAVEN CO., C.S.C.

ANA M. SALAS and husband,
TYLER KYLE EDENFIELD,

Plaintiff

Vs.

PAOLA LETICIA SALAS and
GABINO GUARDADO,

Defendant

CUSTODY ORDER

THIS MATTER came on for hearing before the undersigned District Court Judge presiding over the Decmeber 13, 2016 term of the Craven County Civil District Court upon plaintiffs' complaint seeking custody of the defendant's minor child. After a review of the file and hearing arguments of counsel of plaintiffs, the Court makes the following:

FINDINGS OF FACT:

1. This action was begun by the filing of a complaint by plaintiffs on March 8, 2016 seeking temporary and permanent custody of the defendant's minor child.

2. On April 8, 2016, plaintiffs filed their Amended Complaint and were granted a Temporary Custody Order awarding them the temporary custody of the minor child, Yasline Alejandra Guardado-Salas, pending further orders of this Court.

3. Defendants were served by publication as required by publication of the notice in the Las Vegas Review Journal and/or Las Vegan Sun daily newspaper on April 20, 2016, April 27, 2016 and May 4, 2016.

4. Plaintiffs filed their Motion to Dispense with Mediation on September 8, 2016 and that Motion was heard on October 11, 2016. At that time, an Order was entered by The Honorable Paul Quinn, District Court dispensing with mediation in this matter.

5. This matter was calendared for hearing on the permanent custody issue on December 12, 2016 before the Craven County Civil District Court.

6. The plaintiffs were present and were represented by William F. Ward, III of the firm of Ward, Smith & Norris, P.A. Defendants were not present nor were they represented by counsel.

7. The plaintiffs are citizens and residents of Craven County, North Carolina and have been for at least six months next preceding the institution of this action.

8. The defendant, Paola Leticia Salas, hereinafter referred to as "defendant Salas," was last known to be resident of the State of Nevada. Her current whereabouts are unknown. She is the sister of the plaintiff, Ana M. Salas.

9. The defendant, Gabino Guardado, hereinafter referred to as "defendant Guardado," was last known to be a resident of the State of Nevada. His current whereabouts are unknown.

10. The defendants are the parents of a minor child, to wit: Yasline Alejandra Guardado-Salas, born on February 9, 2014.

11. Plaintiffs are fit and proper persons to have the exclusive physical and legal care, custody and control of the defendants' minor child, and it is in the best interest of the minor child that her exclusive physical and legal care, custody and control be placed with the plaintiffs.

2. North Carolina has jurisdiction over the minor child pursuant to the provisions of North Carolina General Statue § 50A-3(a)(1)(2) and (3).

3. Plaintiffs are fit and proper persons to have exclusive custody and care of the minor child of the defendants.

4. The defendants, by their actions and inactions, have surrendered all parenting responsibilities of this child to the plaintiffs. They have failed to adequately financially or emotionally support the child and have not seen the child since October, 2015 thereby abandoning the child.

5. It is in the best interest of the minor child for the plaintiffs to have exclusive physical and legal custody of the minor child.

5. Any visitation between the defendants and the minor child shall be at the discretion and control of the plaintiffs and shall be supervised by plaintiffs.

Based upon the foregoing Findings of Fact and Conclusions of Law, **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** as follows:

1. North Carolina has jurisdiction over the minor child pursuant to the provisions of North Carolina General Statue § 50A-3(a)(1)(2) and (3).

2. That the plaintiffs are awarded the exclusive physical and legal custody of the defendants' minor child.

3. That the defendants' physical visitation with the minor child is to be under the plaintiffs' discretion, control and supervision.

4. That the defendants may have telephone and electronic contact with the minor child under the plaintiffs' discretion and control.

5. That this Order shall be enforced by any local law enforcement agency.

12. Plaintiffs have been the primary caretakers for the child since October 13, 2015 when defendant Salas requested plaintiffs to come get the child from Nevada. At that time, defendant Salas was homless, had a substance abuse problem and was wanted by the courts.

13. Defendants have had little to no contact with the plaintiffs or the minor child since October 13, 2015. Subsequently, defendant Guardado did, on several occasions, send the plaintiffs small amounts of money for the benefit of the minor child, but nothing has been sent in over a year.

14. Defendants have abandoned the minor child in the care of the plaintiffs. They have, by their actions, surrendered all responsibilities and parenting of the minor child to the plaintiffs. This conduct is inconsistent with and contrary to the constitutionally protected status of natural parents.

15. Defendant Salas has absconded from probation and is currently on the run from authorities.

16. Based upon past history and information and belief, defendant Salas is addicted to illegal drugs and is unable to care for this minor child.

17. The Defendants are not suitable or proper persons to have the care, custody and control of the minor child.

18. North Carolina is the "home state" of the minor child as that term has been defined by North Carolina General Statute Section 50A and North Carolina has jurisdiction to determine the custody of the child.

Based on the foregoing Findings of Fact, the Court makes the following:

CONCLUSIONS OF LAW:

1. This court has jurisdiction over the parties and the subject matter hereto.

This the 20th day of Feb., 2017 for December 13, 2016.

DISTRICT COURT JUDGE

Electronically Filed
1/28/2020 6:25 AM
Steven D. Grierson
CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA
****

Ana Maria Salas, Tyler Kyle Edenfield, Plaintiff. vs. Gabino Guardado, Defendant.	Case No.: D-20-602873-F Department C

NOTICE OF HEARING

Please be advised that the Defendant's Motion to Modify Child Custody Granting Defendant Sole Legal, Sole Physical Custody, Child Support and for Attoreny Fees and Costs in the above-entitled matter is set for hearing as follows:

Date: March 03, 2020

Time: 10:00 AM

Location: Courtroom 08
Family Courts and Services Center
601 N. Pecos Road
Las Vegas, NV 89101

NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Carmelo Coscolluela
Deputy Clerk of the Court

CERTIFICATE OF SERVICE

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Carmelo Coscolluela
Deputy Clerk of the Court

Electronically Filed
1/31/2020 11:23 AM
Steven D. Grierson
CLERK OF THE COURT

CSERV
ROSENBLUM LAW OFFICES
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C**

CERTIFICATE OF SERVICE

I hereby certify that service of the foregoing document:

1. **Motion to Modify Child Custody**
2. **Exhibit Appendix in Support of Defendant's Motion to Modify Child Custody**
3. **Notice of Hearing**

///

///

///

was made, **Thursday, January 30, 2020** by:

☐ **E-FILE ELECTRONIC SERVICE**

Pursuant to NEFCR 9(d), by electronic service through the Eighth Judicial District Court's e-Filing System (EFS), addressed to the following registered users:

☐ **ELECTRONIC SERVICE**

☐ Facsimile, addressed to:

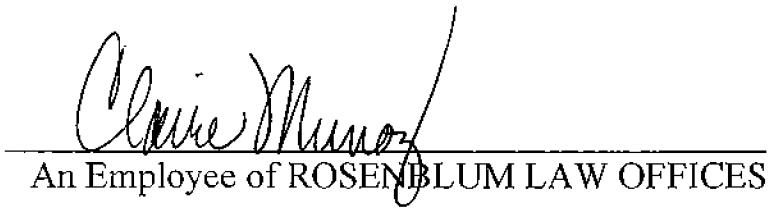
☐ E-Mail, addressed to:

☒ **MAIL**

Depositing a copy of the same in the U.S. Mails, Certified, Return Receipt Requested at Las Vegas, Nevada, postage prepaid, addressed to

Ana Salas
1216 Silver Lake Dr
Las Vegas, NV 89108-1068
Plaintiff in Proper Person

Tyler Edenfield
1216 Silver Lake Dr
Las Vegas, NV 89108-1068
Plaintiff in Proper Person



An Employee of ROSENBLUM LAW OFFICES

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ana Salas
1216 Silver Lake Dr.
Las Vegas, NV 89108-1068

9590 9402 4857 9032 6413 55

2. Article Number *(Transfer from service label)*

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent
☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Adult Signature
☐ Adult Signature Restricted Delivery
☑ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over $500)
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☑ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

7018 0680 0001 2628 4221

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL®

7018 0680 0001 2628 4221

7018 0680 0001 2628 4221

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees *(check box, add fees as appropriate)*
☐ Return Receipt (hardcopy) $ 2.80
☐ Return Receipt (electronic) $
☐ Certified Mail Restricted Delivery $ 3.50
☐ Adult Signature Required $
☐ Adult Signature Restricted Delivery $

Postage
$ 2.40

Total Postage and Fees
$ 8.70

Postmark Here

Sent To Ana Salas
Street and Apt. No., or PO Box No. 1216 Silver Lake Dr.
City, State, ZIP+4® Las Vegas, NV 89108-1068

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tyler Edenfield
1216 Silverlake Dr.
Las Vegas, NV 89108-1068

9590 9402 4857 9032 6413 62

2. Article Number *(Transfer from service label)*

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X
☐ Agent
☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over $500)
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☒ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

7018 0680 0001 2628 4214

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE
CERTIFIED MAIL®

7018 0680 0001 2628 4214
7018 0680 0001 2628 4214

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees *(check box, add fee as appropriate)*
☐ Return Receipt (hardcopy) $ 2.80
☐ Return Receipt (electronic) $
☐ Certified Mail Restricted Delivery $ 3.50
☐ Adult Signature Required $
☐ Adult Signature Restricted Delivery $

Postage
$ 2.40

Total Postage and Fees
$ 8.70

Postmark Here

Sent To
Tyler Edenfield
Street and Apt. No., or PO Box No.
1216 Silver Lake Dr.
City, State, ZIP+4®
Las Vegas, NV 89108-1068

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

AOS

DISTRICT COURT , CLARK COUNTY FAMILY
CLARK COUNTY, NEVADA

Electronically Filed
2/6/2020 11:11 AM
Steven D. Grierson
CLERK OF THE COURT

ANA SALAS AND TYLER EDENFIELD	Plaintiff	
vs		CASE NO: D-20-602873-F
		HEARING DATE/TIME: 03/03/2020 at 10:00am
GABINO GUARDADO	Defendant	DEPT NO: C

AFFIDAVIT OF SERVICE

DOUGLAS DEMOTTA being duly sworn says: That at all times herein affiant was and is a citizen of the United States, over 18 years of age, not a party to or interested in the proceedings in which this affidavit is made. That affiant received 1 copy(ies) of the PETITION FOR REGISTRATION OF FOREIGN ORDER, NOTICE OF PETITION FOR REGISTRATION OF FOREIGN ORDER, MOTION, EXHIBITS, NOTICE OF HEARING, on the 4th day of February, 2020 and served the same on the 5th day of February, 2020, at 13:31 by:

serving the servee TYLER EDENFIELD personally delivering and leaving a copy with ETHEL ADALTO, COUSIN, Co-occupant, a person of suitable age and discretion residing at the defendant's usual place of abode located at (address) 1216 SILVER LAKE DR, LAS VEGAS NV 89108

5FT 1IN - 5FT 6IN 150-180LBS HISPANIC FEMALE 18-24 YEARS OLD DARK

Pursuant to NRS 53.045

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

EXECUTED this 05 day of Feb, 2020.

DOUGLAS DEMOTTA
R-045600

AOS

DISTRICT COURT , CLARK COUNTY FAMILY
CLARK COUNTY, NEVADA

Electronically Filed
3/6/2020 11:11 AM
Steven D. Grierson
CLERK OF THE COURT

ANA SALAS AND TYLER EDENFIELD Plaintiff

vs

GABINO GUARDADO Defendant

CASE NO: D-20-602873-F
HEARING DATE/TIME: 03/03/2020 at 10:00am
DEPT NO: C

AFFIDAVIT OF SERVICE

DOUGLAS DEMOTTA being duly sworn says: That at all times herein affiant was and is a citizen of the United States, over 18 years of age, not a party to or interested in the proceedings in which this affidavit is made. That affiant received 1 copy(ies) of the PETITION FOR REGISTRATION OF FOREIGN ORDER, NOTICE OF PETITION FOR REGISTRATION OF FOREIGN ORDER, MOTION, EXHIBITS, NOTICE OF HEARING, on the 4th day of February, 2020 and served the same on the 5th day of February, 2020, at 13:31 by:

serving the servee ANA SALAS personally delivering and leaving a copy with ETHEL ADALTO, COUSIN, Co-occupant, a person of suitable age and discretion residing at the defendant's usual place of abode located at (address) 1216 SILVER LAKE DR, LAS VEGAS NV 89108

5FT 1IN - 5FT 6IN 150-180LBS HISPANIC FEMALE 18-24 YEARS OLD DARK

Pursuant to NRS 53.045

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

EXECUTED this 05 day of Feb, 2020.

DOUGLAS DEMOTTA
R-045600

Electronically Filed
02/19/2020
CLERK OF THE COURT

NOTC
ROSENBLUM LAW OFFICES
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA MARIA SALAS; and **TYLER KYLE EDENFIELD,** Plaintiff(s), vs. **GABINO GUARDADO,** Defendant.	Case No: **D-20-602873-F** Dept No: **C**

RE-NOTICE OF HEARING

To: ANA MARIA SALAS, and TYLER KYLE EDENFIELD, Plaintiffs in Proper Person

YOU ARE HEREBY NOTIFIED that GABINO GUARDADO, by and through his attorney, KYLE KING, ESQ., of the law firm ROSENBLUM LAW OFFICES filed with the Court:

Defendant's Motion to Modify Child Custody Granting Defendant Sole Legal, Sole Physical Custody, Child Support and for Attorney Fees and Costs

///

which has been set for hearing before the above-entitled Court, located at 601 N Pecos Rd, Las Vegas, Nevada 89101, on the **3rd** day of **March 2020**, at the hour of **10:00 a.m.**, has been rescheduled for the

9th day of MARCH, 2020 at the hour of 10:00 a.m.

FEB 19 2020

Dated this _____ day of _____, **2020**

JESSICA CASTILLO

STEVEN D. GRIERSON, CLERK OF COURT

DISTRICT COURT SEAL

BY: _____ FEB 19 2020
Deputy Clerk

Submitted by:
ROSENBLUM LAW OFFICES

MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

Electronically Filed
2/20/2020 10:32 AM
Steven D. Grierson
CLERK OF THE COURT

CSERV
ROSENBLUM LAW OFFICES
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C**

CERTIFICATE OF SERVICE

I hereby certify that service of the foregoing document:

1. **Re-Notice of Hearing**

///

///

///

was made, **Wednesday, February 19, 2020** by:

☒ **E-FILE ELECTRONIC SERVICE**

Pursuant to NEFCR 9(d), by electronic service through the Eighth Judicial District Court's e-Filing System (EFS), addressed to the following registered users:

☐ **ELECTRONIC SERVICE**

☐ Facsimile, addressed to:

☐ E-Mail, addressed to:

☒ **MAIL**

Depositing a copy of the same in the U.S. Mails, Certified, Return Receipt Requested at Las Vegas, Nevada, postage prepaid, addressed to

Ana Salas
1216 Silver Lake Dr
Las Vegas, NV 89108-1068
Plaintiff in Proper Person

Tyler Edenfield
1216 Silver Lake Dr
Las Vegas, NV 89108-1068
Plaintiff in Proper Person

An Employee of ROSENBLUM LAW OFFICES

Electronically Filed
2/21/2020 7:30 AM
Steven D. Grierson
CLERK OF THE COURT

CNND

DISTRICT COURT
CLARK COUNTY, NEVADA

Ana Maria Salas, Tyler Kyle Edenfield, Plaintiff. vs. Gabino Guardado, Defendant.	D-20-602873-F Department C

CLERK'S NOTICE OF NONCONFORMING DOCUMENT

Pursuant to Rule 8(b)(2) of the Nevada Electronic Filing and Conversion Rules, notice is hereby provided that the following electronically filed document does not conform to the applicable filing requirements:

Title of Nonconforming Document:	Notice of Entry of Stipulation and Order to Continue Hearing (should be in case D-19-589529-D)
Party Submitting Document for Filing:	Rosenblum Law Offices
Date and Time Submitted for Electronic Filing:	February 20, 2020 at 10:31AM

Reason for Nonconformity Determination:

- ☐ The document filed to commence an action is not a complaint, petition, application, or other document that initiates a civil action. *See* Rule 3 of the Nevada Rules of Civil Procedure. In accordance with Administrative Order 19-5, the submitted document is stricken from the record, this case has been closed and designated as filed in error, and any submitted filing fee has been returned to the filing party.
- ☐ The document initiated a new civil action and the case type designation does not match the cause of action identified in the document.
- ☐ The document initiated a new civil action and a cover sheet was not submitted as required by NRS 3.275.
- ☐ The submitted document initiated a new civil action and was made up of multiple documents submitted together.

☒ The case caption and/or case number on the document does not match the case caption and/or case number of the case that it was filed into.

☐ The document was not signed by the submitting party or counsel for said party.

☐ The document filed was a court order that did not contain the signature of a judicial officer. In accordance with Administrative Order 19-5, the submitted order has been furnished to the department to which this case is assigned.

☐ Motion does not have a hearing designation per Rule 2.20(b). Motions must include designation "Hearing Requested" or "Hearing Not Requested" in the caption of the first page directly below the Case and Department Number.

Pursuant to Rule 8(b)(2) of the Nevada Electronic Filing and Conversion Rules, a nonconforming document may be cured by submitting a conforming document. All documents submitted for this purpose must use filing code "**Conforming Filing – CONFILE**." Court filing fees will not be assessed for submitting the conforming document. Processing and convenience fees may still apply.

Dated this: 21st day of February, 2020

By: /s/ Deborah Rose
Deputy District Court Clerk

CERTIFICATE OF SERVICE

I hereby certify that on February 21, 2020, I concurrently filed and served a copy of the foregoing Clerk's Notice of Nonconforming Document, on the party that submitted the nonconforming document, via the Eighth Judicial District Court's Electronic Filing and Service System.

By: /s/ Deborah Rose
Deputy District Court Clerk

THIS SEALED
DOCUMENT,
NUMBERED PAGE(S)
75 - 83
WILL FOLLOW VIA
U.S. MAIL

Electronically Filed
2/24/2020 12:24 PM
Steven D. Grierson
CLERK OF THE COURT

CSERV
ROSENBLUM LAW OFFICES
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C**

CERTIFICATE OF SERVICE

I hereby certify that service of the foregoing document:

1. **General Financial Disclosure Form**

///

///

///

was made, **Monday, February 24, 2020** by:

☐ **E-FILE ELECTRONIC SERVICE**

Pursuant to NEFCR 9(d), by electronic service through the Eighth Judicial District Court's e-Filing System (EFS), addressed to the following registered users:

☐ **ELECTRONIC SERVICE**

☐ Facsimile, addressed to:

☐ E-Mail, addressed to:

☒ **MAIL**

Depositing a copy of the same in the U.S. Mails, Certified, Return Receipt Requested at Las Vegas, Nevada, postage prepaid, addressed to

Ana Salas
1216 Silver Lake Dr
Las Vegas, NV 89108-1068
Plaintiff in Proper Person

Tyler Edenfield
1216 Silver Lake Dr
Las Vegas, NV 89108-1068
Plaintiff in Proper Person

An Employee of ROSENBLUM LAW OFFICES

Electronically Filed
3/5/2020 2:44 PM
Steven D. Grierson
CLERK OF THE COURT

NOTC
ROSENBLUM LAW OFFICES
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA MARIA SALAS; and **TYLER KYLE EDENFIELD,** Plaintiff(s), vs. **GABINO GUARDADO,** Defendant.	Case No: **D-20-602873-F** Dept No: **C**

NOTICE OF FILING OF CERTIFIED ORDER

To: ANA MARIA SALAS, and TYLER KYLE EDENFIELD, Plaintiffs in Proper Person

YOU ARE HEREBY NOTIFIED that GABINO GUARDADO, by and through his attorney, KYLE KING, ESQ., of the law firm ROSENBLUM LAW OFFICES filed with this Court a True and Certified Copy of, (attached as Exhibit A):

CUSTODY ORDER (Case No.: 16 CVD 310 Craven County, North Carolina)

///

Dated this 5th day of March, 2020

Submitted by:
ROSENBLUM LAW OFFICES

8242

MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

I hereby certify that service of the foregoing document:

was made, **Thursday, March 05, 2020** by:

☒ **E-FILE ELECTRONIC SERVICE**

Pursuant to NEFCR 9(d), by electronic service through the Eighth Judicial District Court's e-Filing System (EFS), addressed to the following registered users:

☐ **ELECTRONIC SERVICE**

☐ Facsimile, addressed to:

☐ E-Mail, addressed to:

☒ **MAIL**

Depositing a copy of the same in the U.S. Mails, Certified, Return Receipt Requested at Las Vegas, Nevada, postage prepaid, addressed to

Ana Salas
1216 Silver Lake Dr
Las Vegas, NV 89108-1068
Plaintiff in Proper Person

Tyler Edenfield
1216 Silver Lake Dr
Las Vegas, NV 89108-1068
Plaintiff in Proper Person

An Employee of Rosenblum Law Offices

Exhibit A

NORTH CAROLINA
CRAVEN COUNTY

FILED

2017 MAR -2 P 4:51

CRAVEN CO., C.S.C.

BY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO.: 16 CVD 310

ANA M. SALAS and husband,
TYLER KYLE EDENFIELD,

Plaintiff

Vs.

PAOLA LETICIA SALAS and
GABINO GUARDADO,

Defendant

CUSTODY ORDER

THIS MATTER came on for hearing before the undersigned District Court Judge presiding over the Decmeber 13, 2016 term of the Craven County Civil District Court upon plaintiffs' complaint seeking custody of the defendant's minor child. After a review of the file and hearing arguments of counsel of plaintiffs, the Court makes the following:

FINDINGS OF FACT:

1. This action was begun by the filing of a complaint by plaintiffs on March 8, 2016 seeking temporary and permanent custody of the defendant's minor child.

2. On April 8, 2016, plaintiffs filed their Amended Complaint and were granted a Temporary Custody Order awarding them the temporary custody of the minor child, Yasline Alejandra Guardado-Salas, pending further orders of this Court.

3. Defendants were served by publication as required by publication of the notice in the Las Vegas Review Journal and/or Las Vegan Sun daily newspaper on April 20, 2016, April 27, 2016 and May 4, 2016.

4. Plaintiffs filed their Motion to Dispense with Mediation on September 8, 2016 and that Motion was heard on October 11, 2016. At that time, an Order was entered by The Honorable Paul Quinn, District Court dispensing with mediation in this matter.

5. This matter was calendared for hearing on the permanent custody issue on December 12, 2016 before the Craven County Civil District Court.

6. The plaintiffs were present and were represented by William F. Ward, III of the firm of Ward, Smith & Norris, P.A. Defendants were not present nor were they represented by counsel.

7. The plaintiffs are citizens and residents of Craven County, North Carolina and have been for at least six months next preceding the institution of this action.

8. The defendant, Paola Leticia Salas, hereinafter referred to as "defendant Salas," was last known to be resident of the State of Nevada. Her current whereabouts are unknown. She is the sister of the plaintiff, Ana M. Salas.

9. The defendant, Gabino Guardado, hereinafter referred to as "defendant Guardado," was last known to be a resident of the State of Nevada. His current whereabouts are unknown.

10. The defendants are the parents of a minor child, to wit: Yasline Alejandra Guardado-Salas, born on February 9, 2014.

11. Plaintiffs are fit and proper persons to have the exclusive physical and legal care, custody and control of the defendants' minor child, and it is in the best interest of the minor child that her exclusive physical and legal care, custody and control be placed with the plaintiffs.

12. Plaintiffs have been the primary caretakers for the child since October 13, 2015 when defendant Salas requested plaintiffs to come get the child from Nevada. At that time, defendant Salas was homless, had a substance abuse problem and was wanted by the courts.

13. Defendants have had little to no contact with the plaintiffs or the minor child since October 13, 2015. Subsequently, defendant Guardado did, on several occasions, send the plaintiffs small amounts of money for the benefit of the minor child, but nothing has been sent in over a year.

14. Defendants have abandoned the minor child in the care of the plaintiffs. They have, by their actions, surrendered all responsibilities and parenting of the minor child to the plaintiffs. This conduct is inconsistent with and contrary to the constitutionally protected status of natural parents.

15. Defendant Salas has absconded from probation and is currently on the run from authorities.

16. Based upon past history and information and belief, defendant Salas is addicted to illegal drugs and is unable to care for this minor child.

17. The Defendants are not suitable or proper persons to have the care, custody and control of the minor child.

18. North Carolina is the "home state" of the minor child as that term has been defined by North Carolina General Statute Section 50A and North Carolina has jurisdiction to determine the custody of the child.

Based on the foregoing Findings of Fact, the Court makes the following:

CONCLUSIONS OF LAW:

1. This court has jurisdiction over the parties and the subject matter hereto.

2. North Carolina has jurisdiction over the minor child pursuant to the provisions of North Carolina General Statue § 50A-3(a)(1)(2) and (3).

3. Plaintiffs are fit and proper persons to have exclusive custody and care of the minor child of the defendants.

4. The defendants, by their actions and inactions, have surrendered all parenting responsibilities of this child to the plaintiffs. They have failed to adequately financially or emotionally support the child and have not seen the child since October, 2015 thereby abandoning the child.

5. It is in the best interest of the minor child for the plaintiffs to have exclusive physical and legal custody of the minor child.

5. Any visitation between the defendants and the minor child shall be at the discretion and control of the plaintiffs and shall be supervised by plaintiffs.

Based upon the foregoing Findings of Fact and Conclusions of Law, **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** as follows:

1. North Carolina has jurisdiction over the minor child pursuant to the provisions of North Carolina General Statue § 50A-3(a)(1)(2) and (3).

2. That the plaintiffs are awarded the exclusive physical and legal custody of the defendants' minor child.

3. That the defendants' physical visitation with the minor child is to be under the plaintiffs' discretion, control and supervision.

4. That the defendants may have telephone and electronic contact with the minor child under the plaintiffs' discretion and control.

5. That this Order shall be enforced by any local law enforcement agency.

This the 20th day of July, 2017 for December 13, 2016.

DISTRICT COURT JUDGE

North Carolina
Craven County
I certify the foregoing to be a true copy as taken from the original records in this office.

This 10 day of February, 2020

Deputy Assistant, Clerk of Superior Court

Electronically Filed
4/13/2020 8:56 AM
Steven D. Grierson
CLERK OF THE COURT

AFAS
ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS)
ROSENBLUM LAW OFFICES
7375 S Pecos Rd, Ste 101
LAS VEGAS, NV 89120

PHONE NUMBER
702-433-2889

REFERENCE NUMBER
5173

FOR COURT USE ONLY

NAME OF COURT, JUDICIAL DISTRICT OR BRANCH COURT, IF ANY, AND POST OFFICE AND STREET ADDRESS
District Court Clark County Family
200 Lewis Avenue
LAS VEGAS, NV 89155

SHORT NAME OF CASE
ANA SALAS AND TYLER EDENFIELD v. GABINO GUARDADO

AFFIDAVIT OF ATTEMPTS	DATE/TIME	DEPT/DIV	CASE NUMBER
		Clark County Family	D-20-602873-F

I am and was on the dates herein mentioned over the age of eighteen years and not a party to this action;

I received the following documents:

PETITION FOR REGISTRATION OF OUT OF STATE CHILD CUSTODY DETERMINATION, NOTICE OF PETITION, MOTION, EXHIBITS

After due search, careful inquiry and diligent attempts at the following address(es), I have been unable to effect service of said process on:

Name: PAOLA SALAS

Address(es): 561 N MOJAVE RD APT 116
LAS VEGAS, NV 89101

Process is being returned without service for the following reason(s):

2020-04-10 15:20:00 Bad address ROMEO MIRISCOTOS (CURRENT RESIDENT) STATED THERE IS NO PAOLA SALAS THERE. ASIAN MALE 5FT 1IN - 5FT 6IN O50-60 YEARS OLD BLACK HAIR

Pursuant to NRS 53.045

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

EXECUTED this 10 day of Apr, 2020.

Michelle Harris

MICHELLE HARRIS
2019-09792

Electronically Filed
4/15/2020 12:03 PM
Steven D. Grierson
CLERK OF THE COURT

EXMT
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE A. KING, ESQ.
Nevada Bar No. 14557
ROSENBLUM LAW OFFICES
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C**

EX PARTE MOTION FOR AN ORDER FOR SERVICE BY ALTERNATE MEANS AND ORDER TO EXTEND TIME TO SERVE

COMES NOW Defendant, GABINO GUARDADO, by and through his attorneys, of ROSENBLUM LAW OFFICES, and respectfully requests that this Honorable Court allow service of the *Motion to Modify Child Custody Granting Defendant Sole Legal, Sole Physical Custody, Child Support and For Attorney's Fees and Costs; Exhibit Appendix in Support of Defendant's Motion to Modify Child Custody Granting Defendant Sole Legal, Sole Physical Custody, Child Support and For Attorney's Fees and Costs and Notice of Hearing* to Natural Mother, PAOLA SALAS Via Publication in the Nevada Legal News, and that the

time to serve be extended. The information required by NRCP 4.4(b)(2)(ii) is in the attached declaration.

The information required by NRCP 4.4(b)(2)(i) will be provide in a separate declaration.

Respectively we would like the Court to allow for service to the Defendant in the following way:

Service via Publication in the Nevada Legal News, and that the time to serve each be extended.

The option above is the method most reasonably calculated to give Defendants notice of this Court case. We do not have any other method to locate or contact Defendant.

We request the Court to sign an Order directing that the Defendant be served by the alternate method above.

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

DATED this 15 day of April, 2020.

Submitted by:
ROSENBLUM LAW OFFICES

MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
Email: staff@rosenblumlawlv.com
Attorney for Defendant
In an unbundled capacity

AFFIDAVIT OF KYLE A. KING, ESQ.
IN SUPPORT OF EX PARTE MOTION

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

KYLE A. KING, ESQ., being duly sworn, states as follows:

I am the attorney for the Defendant, in the above-entitled action, and I testify to the following upon information and belief:

1. That Defendant, Gabino Guardado has no idea as to the whereabouts of Defendant, PAOLA SALAS.
2. That all attempts to serve and locate the Defendant have failed.
3. That Defendant shall be allowed to serve the *Motion to Modify Child Custody Granting Defendant Sole Legal, Sole Physical Custody, Child Support and For Attorney's Fees and Costs; Exhibit Appendix in Support of Defendant's Motion to Modify Child Custody Granting Defendant Sole Legal, Sole Physical Custody, Child Support and For Attorney's Fees and Costs and Notice of Hearing* to Natural Mother in the above referenced case via publication.
4. On or about March 9, 2020, a skip trace of Natural Mother was performed by Rebecca Godwin of JUNE'S LEGAL SERVICES and an Affidavit of Due Diligence is on file herewith.
5. That following a diligence search only two addresses were found in the diligence search. The first, 1294 East Hacienda Ave, Apartment C, Las Vegas, NV 89119, and the second, 561 North Mojave Road, Apartment 116, Las Vegas, NV 89101. No out of sate addresses were found during the diligence search.

6. That attempts to personally serve the *Motion to Modify Child Custody Granting Defendant Sole Legal, Sole Physical Custody, Child Support and For Attorney's Fees and Costs; Exhibit Appendix in Support of Defendant's Motion to Modify Child Custody Granting Defendant Sole Legal, Sole Physical Custody, Child Support and For Attorney's Fees and Costs and Notice of Hearing* have been unsuccessful at the last known address: 1294 East Hacienda Ave, Apartment C, Las Vegas, NV 89119, for reasons outlined in the *Affidavit of Attempted Service* on file herein.
7. That attempts to personally serve the *Motion to Modify Child Custody Granting Defendant Sole Legal, Sole Physical Custody, Child Support and For Attorney's Fees and Costs; Exhibit Appendix in Support of Defendant's Motion to Modify Child Custody Granting Defendant Sole Legal, Sole Physical Custody, Child Support and For Attorney's Fees and Costs and Notice of Hearing* have been unsuccessful at the last known address: 561 North Mojave Road, Apartment 116, Las Vegas, NV 89101, for reasons outlined in the *Affidavit of Attempted Service* on file herein.
8. The only address found are the ones listed herein, and personal service was attempt at both addresses.
9. That the time to serve the *Motion to Modify Child Custody Granting Defendant Sole Legal, Sole Physical Custody, Child Support and For Attorney's Fees and Costs; Exhibit Appendix in Support of Defendant's Motion to Modify Child Custody Granting Defendant Sole Legal, Sole Physical Custody, Child Support and For Attorney's Fees and Costs and Notice of Hearing* to Natural Mother be extended.

. . .

. . .

. . .

10. That no addresses in the State of North Carolina or any other state were discovered during the diligence search or skip trace.

Dated this 15th day of April, 2020

KYLE A. KING

SUBSCRIBED and SWORN TO before me this 15th day of April, 2020

NOTARY PUBLIC
in and for said County and State

Claire C. Munoz
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 13-11167-1
My Appt. Expires May 17, 2021

Electronically Filed
4/15/2020 10:16 PM
Steven D. Grierson
CLERK OF THE COURT

DISTRICT COURT

CLARK COUNTY, NEVADA

****

Ana Maria Salas, Tyler Kyle Edenfield, Plaintiff.
vs.
Gabino Guardado, Defendant.

D-20-602873-F
Department C

NOTICE OF AUDIO/VISUAL APPEARANCE

Please be advised that the above-entitled matter has been scheduled for **Motion** to be heard by the Honorable Rebecca L. Burton at the Family Courts and Services Center, 601 N. Pecos Rd., Las Vegas, Nevada, on the **23rd day of April, 2020** at the hour of **11:00 AM** in **Department C, Courtroom 08 will be conducted by audio/visual appearance.** YOUR PRESENCE IS NECESSARY.

Go to: https://www.bluejeans.com Meeting No. 757 154 612

DISTRICT JUDGE REBECCA L. BURTON

By: /s/ Lourdes Child
Lourdes Child
Judicial Executive Assistant
Department C

CERTIFICATE OF SERVICE

I hereby certify that on the above file stamp date:

☒ I provided the foregoing NOTICE OF AUDIO/VISUAL APPEARANCE to:

Ana Maria Salas
1216 Silver Lake DR
Las Vegas, NV 89108

Tyler Kyle Edenfield
1216 Silver Lake DR
Las Vegas, NV 89108

Kyle A. King, Esq.
staff@rosenblumlawlv.com

Gabino Guardado
sugueryr@yahoo.com

/s/ Lourdes Child
Lourdes Child
Judicial Executive Assistant
Department C

AFAS ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS) ROSENBLUM LAW OFFICES 7375 S Pecos Rd, Ste 101 LAS VEGAS, NV 89120	PHONE NUMBER 702-433-2889 REFERENCE NUMBER 5173	FOR COURT USE ONLY Electronically Filed 04/16/2020 CLERK OF THE COURT
NAME OF COURT, JUDICIAL DISTRICT OR BRANCH COURT, IF ANY, AND POST OFFICE AND STREET ADDRESS District Court Clark County Family 200 Lewis Avenue LAS VEGAS, NV 89155		
SHORT NAME OF CASE ANA SALAS AND TYLER EDENFIELD v. GABINO GUARDADO		

AFFIDAVIT OF ATTEMPTS	DATE/TIME	DEPT/DIV Clark County Family	CASE NUMBER D-20-602873-F

I am and was on the dates herein mentioned over the age of eighteen years and not a party to this action;

I received the following documents:

PETITION FOR REGISTRATION OF OUT OF STATE CHILD CUSTODY DETERMINATION, NOTICE OF PETITION, MOTION, EXHIBITS

After due search, careful inquiry and diligent attempts at the following address(es), I have been unable to effect service of said process on:

Name: PAOLA SALAS

Address(es): 1294 E HACIENDA AVE, APT C
LAS VEGAS, NV 89119

Process is being returned without service for the following reason(s):

2020-03-27 10:49:00 Attempted (But unable to serve) NO ANSWER AT THE DOOR; NO LIGHTS ON; DOGS BARKING;
2020-03-29 17:02:00 Bad address PER RESIDENT LAST NAME RAMIREZ THE DEFENDANT NO LONGER LIVES AT THIS ADDRESS. NO FURTHER INFORMATION PROVIDED. 5FT7IN - 5FT11IN 120-150LBS HISPANIC MALE 18-24 YEARS OLD BLACK HAIR BROWN EYES

RECEIVED
APR - 4 2020
CLERK OF THE COURT

Pursuant to NRS 53.045

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

EXECUTED this 29 day of Mar, 2020.

DONALD TAYLOR
R-097875

Electronically Filed
4/17/2020 12:27 PM
Steven D. Grierson
CLERK OF THE COURT

NOTC
ROSENBLUM LAW OFFICES
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA MARIA SALAS; and **TYLER KYLE EDENFIELD,** Plaintiff(s), vs. **GABINO GUARDADO,** Defendant.	Case No: **D-20-602873-F** Dept No: **C** Hearing Date: 4/23/2020 Hearing Time: 11:00am

NOTICE OF INTENT TO APPEAR BY COMMUNICATION EQUIPMENT

COMES NOW, Defendant **GABINO GUARDADO**, pursuant to the Order Adopting Part IX Of The Supreme Court Rules filed December 18, 2008, and hereby submits a Notice Of Intent To Appear By Communication Equipment for the Motion currently scheduled for the 23rd day of April, 2020 at 11:00 a.m. Pacific Time.

For the purposes of this appearance Defendant can be reached at the following telephone number (725) 212-6519 and by email at

sugueryr@yahoo.com. Defendant understands that it is his responsibility to ensure that Defendant can be reached at this telephone number and email on the date and time of the hearing.

///

///

Defendant also understands that due to the unpredictable nature of court proceedings, Defendant's hearing may be called at a time, other than the scheduled time. Further, Defendant understands that his failure to be available at the above stated telephone number will constitute a nonappearance.

Dated this 17 day of April, **2020**

///

Submitted by:

ROSENBLUM LAW OFFICES

/s/ Molly Rosenblum, Esq.

MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889---Phone
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

Electronically Filed
4/17/2020 12:27 PM
Steven D. Grierson
CLERK OF THE COURT

NOTC
ROSENBLUM LAW OFFICES
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA MARIA SALAS; and **TYLER KYLE EDENFIELD,** Plaintiff(s), vs. **GABINO GUARDADO,** Defendant.	Case No: **D-20-602873-F** Dept No: **C** Hearing Date: 4/23/2020 Hearing Time: 11:00am

NOTICE OF INTENT TO APPEAR BY COMMUNICATION EQUIPMENT

COMES NOW, Counsel for Defendant **Kyle King, Esq.**, pursuant to the Order Adopting Part IX Of The Supreme Court Rules filed December 18, 2008, and hereby submits a Notice Of Intent To Appear By Communication Equipment for the Motion currently scheduled for the 23rd day of April, 2020 at 11:00 a.m. Pacific Time.

For the purposes of this appearance Counsel for Defendant can be reached at the following telephone number (702) 433-2889 and by email at

staff@rosenblumlawlv.com. Counsel for Defendant understands that it is his responsibility to ensure that Counsel for Defendant can be reached at this telephone number and email on the date and time of the hearing.

///

///

Counsel for Defendant also understands that due to the unpredictable nature of court proceedings, Defendant's hearing may be called at a time, other than the scheduled time. Further, Counsel for Defendant understands that his failure to be available at the above stated telephone number will constitute a nonappearance.

Dated this 17 day of April, **2020**

///

Submitted by:

ROSENBLUM LAW OFFICES

/s/ Molly Rosenblum, Esq.

MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

Electronically Filed
4/21/2020 10:44 AM
Steven D. Grierson
CLERK OF THE COURT

OSBP
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE A. KING, ESQ.
Nevada Bar No. 14557
ROSENBLUM LAW OFFICES
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C**

ORDER FOR SERVICE BY ALTERNATE MEANS AND ORDER TO EXTEND TIME TO SERVE

Upon reading the Ex Parte Motion For Alternate Service and supporting declarations and affidavits, the Court finds that service of the summons and complaint upon Defendant under NRCP 4.2, 4.3, and 4.4 (a) are impracticable.

IT FURTHER APPEARING from the papers, pleadings, and files herein that personal service of process of Natural Mother Paola Salas needs to be completed by Publication.

///

///

Case Number: D-20-602873-F

NOW, THEREFORE, IT IS HEREBY ORDERED that Natural Mother shall be served with the *Motion to Modify Child Custody Granting Defendant Sole Legal, Sole Physical Custody, Child Support and For Attorney's Fees and Costs; Exhibit Appendix in Support of Defendant's Motion to Modify Child Custody Granting Defendant Sole Legal, Sole Physical Custody, Child Support and For Attorney's Fees and Costs and Notice of Hearing* through the following alternate methods:

Service by Publication. This service method is those most reasonably calculated to give Defendant notice of this case.

IT IS FURTHER ORDERED that documents in this action be served on PAOLA SALAS herein named by publication thereof in the Nevada Legal News, a newspaper of general circulation, published daily at Las Vegas, Clark County, Nevada, hereby designated as the newspaper most likely to give notice of the pendency of this action to PAOLA SALAS; that said publication be made for a period of five consecutive weeks and at least once each week for said period of time.

IT IS FURTHER ORDERED that Defendant shall make reasonable efforts to notify Natural Mother of this matter through any other means, such as certified mail, telephone, voice messages, email, social media, or any other communication method.

///

///

///

IT IS FURTHER ORDERED that the time to serve be extended 90 days in order to allow for the completion of publication.

IT IS FURTHER ORDERED that documents in this case shall be mailed to the Defendant at the addresses identified in the Affidavit of Due Diligence.

///

DATED this 20th day of April, 20 20.

Rebecca L Burton

DISTRICT JUDGE

Submitted by:

ROSENBLUM LAW OFFICES

MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
Email: staff@rosenblumlawlv.com
Attorney for Defendant

Electronically Filed
4/22/2020 11:00 AM
Steven D. Grierson
CLERK OF THE COURT

NOTC
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE A. KING, ESQ.
Nevada Bar No. 14557
ROSENBLUM LAW OFFICES
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C**

RE-NOTICE OF HEARING

To: PAOLA SALAS, NATURAL MOTHER

To: ANA M. SALAS, Plaintiff in Proper Person

To: TYLER EDENFIELD, Plaintiff if Proper Person

YOU ARE HEREBY NOTIFIED that Defendant, Gabino Guardado, by and through his attorney, KYLE KING, ESQ., of the law firm ROSENBLUM LAW OFFICES filed with the Court a:

MOTION TO MODIFY CHILD CUSTODY GRANTING DEFENDANT SOLE LEGAL, SOLE PHYSICAL CUSTODY, CHILD SUPPORT AND FOR ATTORNEY FEES AND COSTS

which has been set for hearing before the above-entitled Court, located at 601 N Pecos Rd, Las Vegas, Nevada 89101, on the **23rd** day of **April 2020**, at the hour of **11:00am** with Oral Argument Requested has been rescheduled **has been rescheduled for the next available Court date after June 7, 2020, to wit**:

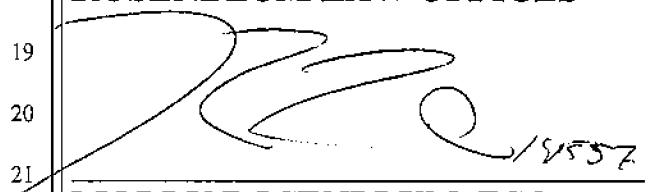
_____ day of _____, 2020 at the hour of _____ ___. m.
With Oral Argument Requested.

Dated this _____ day of _____, **2020**

COUNTY CLERK

BY:_____
Deputy Clerk

Submitted by:
ROSENBLUM LAW OFFICES



MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

Electronically Filed
4/22/2020 11:04 AM
Steven D. Grierson
CLERK OF THE COURT

NOTC
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE A. KING, ESQ.
Nevada Bar No. 14557
ROSENBLUM LAW OFFICES
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C**

RE-NOTICE OF HEARING

To: PAOLA SALAS, NATURAL MOTHER

To: ANA M. SALAS, Plaintiff in Proper Person

To: TYLER EDENFIELD, Plaintiff if Proper Person

YOU ARE HEREBY NOTIFIED that Defendant, Gabino Guardado, by and through his attorney, KYLE KING, ESQ., of the law firm ROSENBLUM LAW OFFICES filed with the Court a:

MOTION TO MODIFY CHILD CUSTODY GRANTING DEFENDANT SOLE LEGAL, SOLE PHYSICAL CUSTODY, CHILD SUPPORT AND FOR ATTORNEY FEES AND COSTS

which has been set for hearing before the above-entitled Court, located at 601 N Pecos Rd, Las Vegas, Nevada 89101, on the **23rd** day of **April 2020**, at the hour of **11:00am** with Oral Argument Requested has been rescheduled **has been rescheduled for the next available Court date after June 7, 2020, to wit**:

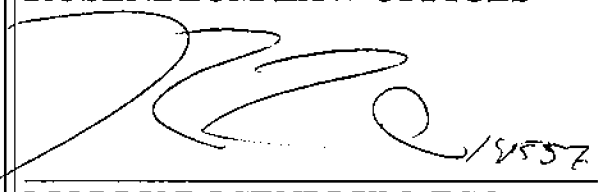
_____ day of _____, 2020 at the hour of _____ ___. m.
With Oral Argument Requested.

Dated this _____ day of _____, **2020**

COUNTY CLERK

BY:_____
Deputy Clerk

Submitted by:
ROSENBLUM LAW OFFICES



MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

Electronically Filed
4/22/2020 11:44 AM
Steven D. Grierson
CLERK OF THE COURT

NOTC
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE A. KING, ESQ.
Nevada Bar No. 14557
ROSENBLUM LAW OFFICES
7375 S Pecos Rd, Ste 101
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(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND **TYLER EDENFIELD,** Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C**

NOTICE OF RE-NOTICE OF HEARING

To: PAOLA SALAS, NATURAL MOTHER

To: ANA M. SALAS, Plaintiff in Proper Person

To: TYLER EDENFIELD, Plaintiff if Proper Person

YOU ARE HEREBY NOTIFIED that Defendant, Gabino Guardado, by and through his attorney, KYLE KING, ESQ., of the law firm ROSENBLUM LAW OFFICES filed with the Court a:

MOTION TO MODIFY CHILD CUSTODY GRANTING DEFENDANT SOLE LEGAL, SOLE PHYSICAL CUSTODY, CHILD SUPPORT AND FOR ATTORNEY FEES AND COSTS

which has been set for hearing before the above-entitled Court, located at 601 N Pecos Rd, Las Vegas, Nevada 89101, on the 23rd day of April 2020, at the hour of 11:00am has been rescheduled to the:

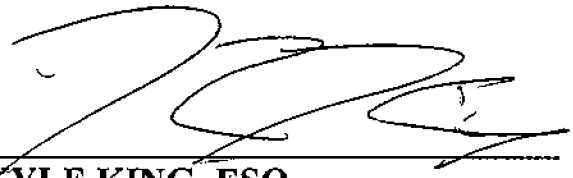
27th day of July, 2020 at the hour of 10:00 a.m.

///

Dated this 22nd day of April, 2020

Submitted by:

ROSENBLUM LAW OFFICES



KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

Electronically Filed
4/22/2020 11:04 AM
Steven D. Grierson
CLERK OF THE COURT

OSBP
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE A. KING, ESQ.
Nevada Bar No. 14557
ROSENBLUM LAW OFFICES
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C**

AMENDED

ORDER FOR SERVICE BY ALTERNATE MEANS AND ORDER TO EXTEND TIME TO SERVE

Upon reading the Ex Parte Motion For Alternate Service and supporting declarations and affidavits, the Court finds that service of the summons and complaint upon Defendant under NRCP 4.2, 4.3, and 4.4 (a) are impracticable.

IT FURTHER APPEARING from the papers, pleadings, and files herein that personal service of process of Natural Mother Paola Salas needs to be completed by Publication.

///

///

NOW, THEREFORE, IT IS HEREBY ORDERED that Natural Mother shall be served with the *Motion to Modify Child Custody Granting Defendant Sole Legal, Sole Physical Custody, Child Support and For Attorney's Fees and Costs; Exhibit Appendix in Support of Defendant's Motion to Modify Child Custody Granting Defendant Sole Legal, Sole Physical Custody, Child Support and For Attorney's Fees and Costs and Notice of Hearing* through the following alternate methods:

Service by Publication. This service method is those most reasonably calculated to give Defendant notice of this case.

IT IS FURTHER ORDERED that documents in this action be served on PAOLA SALAS herein named by publication thereof in the Nevada Legal News, a newspaper of general circulation, published daily at Las Vegas, Clark County, Nevada, hereby designated as the newspaper most likely to give notice of the pendency of this action to PAOLA SALAS; that said publication be made for a period of five consecutive weeks and at least once each week for said period of time.

IT IS FURTHER ORDERED that Defendant shall make reasonable efforts to notify Natural Mother of this matter through any other means, such as certified mail, telephone, voice messages, email, social media, or any other communication method.

///

///

///

IT IS FURTHER ORDERED that the time to serve be extended 90 days in order to allow for the completion of publication.

IT IS FURTHER ORDERED that documents in this case shall be mailed to the Defendant at the addresses identified in the Affidavit of Due Diligence.

/// IT IS FURTHER ORDERED that the hearing scheduled on 04/23/20 shall be continued to July 27, 2020 at 10:00 a.m.

DATED this 21st day of April, 20 20.

DISTRICT JUDGE

Submitted by:

ROSENBLUM LAW OFFICES

MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
Email: staff@rosenblumlawlv.com
Attorney for Defendant

Electronically Filed
4/22/2020 1:14 PM
Steven D. Grierson
CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA
****

Ana Maria Salas, Tyler Kyle Edenfield, Plaintiff. vs. Gabino Guardado, Defendant.	Case No.: D-20-602873-F Department C

NOTICE OF HEARING

Please be advised that the Defendant's Motion to Modify Child Custody Granting Defendant Sole Legal, Sole Physical Custody, Child Support and for Attorney Fees and Costs in the above-entitled matter is set for hearing as follows:

Date: July 27, 2020

Time: 10:00 AM

Location: Courtroom 08; Courtroom 08
Family Courts and Services Center
601 N. Pecos Road
Las Vegas, NV 89101

NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Juanito Nasarro
Deputy Clerk of the Court

CERTIFICATE OF SERVICE

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Juanito Nasarro
Deputy Clerk of the Court

Electronically Filed
05/15/2020
CLERK OF THE COURT

AFDD
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 8242
KYLE A. KING, ESQ.
Nevada Bar No. 14557
ROSENBLUM LAW OFFICES
7375 S. Pecos Rd., Ste. 101
Las Vegas, Nevada 89120
(702) 433-2889
Attorneys for Respondent

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS and TYLER EDENFIELD, Plaintiffs, vs. GABINO GUARDADO, Subject.	**Case No.: D-20-602873-F** **Dept. No.: C**

AFFIDAVIT OF DUE DILIGENCE

I, Ron Kiniry, being first duly sworn, deposes and says:

That I am an employee of Junes Legal Service, Inc., located at 630 South Tenth Street, Ste. B, Las Vegas, Nevada 89101. I am a person over the age of eighteen and not a party to, nor interested in the above-cited action. **I hereby certify and return that:**

On or about April 17, 2020, I received instructions to conduct a skip trace to locate a possible address for Subject, **Paola Leticia Salas**. The information provided to me was the Subject's full name and last known address 1294 E. Hacienda Ave., #C, Las Vegas, Nevada 89119.

The following is a summary of our office's efforts to locate an address for Subject Paola Leticia Salas:

1. On or about April 17, 2020, I conducted a search through the Clark County Recorders Marriage records and found no recordings.

2. On or about April 17, 2020, I conducted a search through the Clark County Recorders Foreclosure records and found no recordings.
3. On or about April 17, 2020, I conducted a search through the Clark County Recorders Ownership records and found no recordings.
4. On or about April 17, 2020, I conducted a search through the Clark County Recorders Lien records and found no recordings.
5. On or about April 17, 2020, I conducted a search through the Clark County Assessors by name and found no recordings.
6. On or about April 17, 2020, I conducted a search through the Clark County Assessors by the last known address 1294 E. Hacienda Ave., #C, Las Vegas, Nevada 89119 and found that this property was never owned by the Subject.
7. On or about April 17, 2020, I conducted a search through the Clark County Court Traffic system by name and found no cases.
8. On or about April 17, 2020, I conducted a search through the Clark County Justice Court system by name and found no cases.
9. On or about April 17, 2020, I conducted a search through the Clark County Family Court system by name and found no cases.
10. On or about April 17, 2020, I conducted a search through the Clark County District Court system by name and found no cases.
11. On or about April 17, 2020, I conducted a search through the Nevada Voter's Registrar by name and found no record.
12. On or about April 17, 2020, I conducted an Internet search through Facebook by name and found 2 possible matches for Paola Salas.
13. On or about April 17, 2020, I conducted an Internet search through a National Database by name and found a possible match for Paola Salas, age 29, date of birth 4/8/1990. Current address is listed as 561 N. Mojave Rd., #116, Las Vegas, Nevada 89101.
14. As of March 17, 2020, the Nevada Department of Motor Vehicles (DMV) has closed in response to COVID 19. During this closure, we, Junes Legal Services, Inc., are unable to obtain driver record information relating to Paola Leticia Salas.
15. On or about April 17, 2020, I conducted a search through the Nevada Secretary of State Business website by name and found no record.

16. On or about April 17, 2020, I conducted a search through the City of Las Vegas Business License website by name and found no record.
17. On or about April 17, 2020, I conducted a search through the Nevada Department of Corrections website by name and found no record.
18. Postal inquiries were submitted to the US Postmaster in an effort to verify/obtain forwarding address for 1294 E. Hacienda Ave., #C, Las Vegas, Nevada 89119. To date the US Postmaster has not replied to our inquiries.
19. Utility companies refuse to release any information on customers, past or present.
20. Based on the foregoing information, Junes Legal Services, Inc. was able to locate a possible address for said Subject, **Paola Leticia Salas**, in the County of Clark, State of Nevada.

I affirm that all attempts to serve the Subject at the last known addresses of 1294 E. Hacienda Ave., #C, Las Vegas, Nevada 89119 and 561 N. Mojave Rd., #116, Las Vegas, Nevada 89101 and were to no avail. See Affidavits of Attempts for details.

Pursuant to NRS 53.045

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct

20th day of April 2020

Ron Kiniry

Ron Kiniry
Junes Legal Service, Inc.
630 S. 10th St. #B
Las Vegas, NV 89101
Process License #1068
702-579-6300 ph
702-259-6249 fx

AFFP
D-20-602873-F MOTION

Electronically Filed
5/21/2020 11:06 AM
Steven D. Grierson
CLERK OF THE COURT

Affidavit of Publication

STATE OF NEVADA }
COUNTY OF CLARK } SS

I, Scott Sibley state:

That I am Publisher of the Nevada Legal News, a daily newspaper of general circulation, printed and published in Las Vegas, Clark County, Nevada; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

Apr 23, 2020
Apr 30, 2020
May 07, 2020
May 14, 2020
May 21, 2020

That said newspaper was regularly issued and circulated on those dates. I declare under penalty of perjury that the foregoing is true and correct.

DATED: May 21, 2020

Scott Sibley

DISTRICT COURT-FAMILY DIVISION
CLARK COUNTY, NEVADA
Case No.: D-20-602873-F Dept. No.: C
ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's,
vs. GABINO GUARDADO, Defendant.
ORAL ARGUMENT REQUESTED: YES
NOTICE: YOU ARE REQUIRED TO FILE A WRITTEN RESPONSE TO THIS MOTION WITH THE CLERK OF THE COURT AND TO PROVIDE THE UNDERSIGNED WITH A COPY OF YOUR RESPONSE WITHIN 10 DAYS OP YOUR RECEIPT OF THIS MOTION. FAILURE TO FILE A 21 WRITTEN RESPONSE WITH THE CLERK OP THE COURT WITHIN 10 DAYS OF YOUR RECEIPT OF THIS MOTION MAY RESULT IN THE REQUESTED RELIEF BEING GRANTED BY THE COURT WITHOUT A HEARING PRIOR TO THE SCHEDULED HEARING DATE.
MOTION TO MODIFY CHILD CUSTODY GRANTING DEFENDANT SOLE LEGAL, SOLE PHYSICAL CUSTODY, CHILD SUPPORT AND FOR ATTORNEY FEES AND COSTS
COMES NOW Defendant, GABINO GUARDADO, by and through his attorneys, of ROSENBLUM LAW OFFICES, and hereby moves this Honorable Court for an Order Modifying the child custody provisions within the parties Decree of Divorce. This Motion is made and based upon all of the papers and pleadings on file herein, the following Memorandum of Points and Authorities, the Affidavit of Counsel herein submitted herewith, and any argument which may adduced at the time of hearing.
DATED this 21 day of January 2020. By MOLLY ROSENBLUM, ESQ., Nevada Bar No. 08242, KYLE A. KING, ESQ., Nevada Bar No. 14557, ROSENBLUM LAW OFFICES, 7375 S Pecos Rd, Ste 101, Las Vegas, NV 89120-3773, (702) 433-2889-Phone, (702) 425-9642-Fax, Email: staff@rosenblumlawlv.com, Attorney for Defendant in an Unbundled Capacity
Published in Nevada Legal News
April 23, 30, May 7, 14, 21, 2020

04102025 00479447 492-6109

ROSENBLUM LAW OFFICES
7375 S. PECOD RD., STE 101
LAS VEGAS, NV 89120

AFFP
D-20-602873-F RNOH

Electronically Filed
5/21/2020 11:07 AM
Steven D. Grierson
CLERK OF THE COURT

Affidavit of Publication

STATE OF NEVADA }
COUNTY OF CLARK } SS

I, Scott Sibley state:

That I am Publisher of the Nevada Legal News, a daily newspaper of general circulation, printed and published in Las Vegas, Clark County, Nevada; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

Apr 23, 2020
Apr 30, 2020
May 07, 2020
May 14, 2020
May 21, 2020

That said newspaper was regularly issued and circulated on those dates. I declare under penalty of perjury that the foregoing is true and correct.

DATED: May 21, 2020

Scott Sibley

DISTRICT COURT-FAMILY DIVISION
CLARK COUNTY, NEVADA
Case No.: D-20-602873-F Dept. No.: C
ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's,
vs. GABINO GUARDADO, Defendant.
NOTICE OF RE-NOTICE OF HEARING
To: PAOLA SALAS, NATURAL MOTHER
To: ANA M. SALAS, Plaintiff in Proper Person
To: TYLER EDENFIELD, Plaintiff if Proper Person
YOU ARE HEREBY NOTIFIED that Defendant, Gabino Guardado, by and through his attorney, KYLE KING, ESQ., of the law firm ROSENBLUM LAW OFFICES filed with the Court a: MOTION TO MODIFY CHILD CUSTODY GRANTING DEFENDANT SOLE LEGAL, SOLE PHYSICAL CUSTODY, CHILD SUPPORT AND FOR ATTORNEY FEES AND COSTS which has been set for hearing before the above-entitled Court, located at 601 N Pecos Rd, Las Vegas, Nevada 89101, on the 23rd day of April 2020, at the hour of 11:00am has been rescheduled to the: 27th day of July, 2020 at the hour of 10:00 a.m. Dated this 22nd day of April, 2020, Submitted by: ROSENBLUM LAW OFFICES, s/ KYLE A. KING, ESQ., Nevada Bar No. 14557, MOLLY ROSENBLUM, ESQ., Nevada Bar NO. 08242, 7375 S Pecos Rd, Ste 101, Las Vegas, NV 89120-3773, (702) 433-2889-Phone, (702) 425-9642-Fax, Email: staff@rosenblumlawlv.com, Attorney for Defendant in an Unbundled Capacity
Published in Nevada Legal News
April 23, 30, May 7, 14, 21, 2020

04102025 00479445 492-6109

ROSENBLUM LAW OFFICES
7375 S. PECOD RD., STE 101
LAS VEGAS, NV 89120

Electronically Filed
7/18/2020 3:41 PM
Steven D. Grierson
CLERK OF THE COURT

DISTRICT COURT

CLARK COUNTY, NEVADA

****

Ana Maria Salas, Tyler Edenfield, Plaintiff(s) D-20-602873-F Department C
vs.
Gabino Guardado, Defendant.

NOTICE OF AUDIO/VISUAL APPEARNCE

Please be advised that the **Motion** to be heard by the Honorable Rebecca L. Burton at the Family Courts and Services Center, 601 N. Pecos Rd., Las Vegas, Nevada, on the **27th day of July, 2020** at the hour of **10:00 AM** in **Department C, Courtroom 08 will be conducted by audio/visual appearance.** YOUR PRESENCE IS NECESSARY.

Go to: https://www.bluejeans.com Meeting No. 374 051 537

DISTRICT JUDGE REBECCA L. BURTON

By: /s/ Lourdes Child
Lourdes Child
Judicial Executive Assistant
Department C

CERTIFICATE OF SERVICE

☒ I provided the foregoing NOTICE OF AUDIO/VISUAL APPEARANCE to:

Molly Rosenblum, Esq.
staff@rosenblumlawlv.com

Gabino Guardado
sugueryr@yahoo.com

Ana Maria Salas
1216 Silver Lake DR
Las Vegas NV 89108

Tyler Kyle Edenfield
1216 Silver Lake DR
Las Vegas NV 89108

/s/ Lourdes Child
Lourdes Child
Judicial Executive Assistant
Department C

Electronically Filed
7/28/2020 7:48 AM
Steven D. Grierson
CLERK OF THE COURT

DISTRICT COURT

CLARK COUNTY, NEVADA

****

Ana Maria Salas, Tyler Kyle Edenfield, Plaintiff.
vs.
Gabino Guardado, Defendant.

D-20-602873-F
Department C

NOTICE OF AUDIO/VISUAL APPEARANCE

Please be advised that the **Motion** to be heard by the Honorable Rebecca L. Burton at the Family Courts and Services Center, 601 N. Pecos Rd., Las Vegas, Nevada, on the **6th day of August, 2020** at the hour of **10:00 AM** in **Department C, Courtroom 08 will be conducted by audio/visual appearance.** YOUR PRESENCE IS NECESSARY.

Go to: https://www.bluejeans.com Meeting No. 172 367 645

DISTRICT JUDGE REBECCA L. BURTON

By: /s/ Lourdes Child
Lourdes Child
Judicial Executive Assistant
Department C

CERTIFICATE OF SERVICE

☒ I provided the foregoing NOTICE OF AUDIO/VISUAL APPEARANCE to:

Ana Maria Salas
1216 Silver Lake DR
Las Vegas, NV 89108

Tyler Kyle Edenfield
1216 Silver Lake DR
Las Vegas, NV 89108

Kyle King, Esq.
staff@rosenblumlawlv.com

Gabino Guardado
sugueryr@yahoo.com

/s/ Lourdes Child
Lourdes Child
Judicial Executive Assistant
Department C

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07/29/2020 1:40 PM
CLERK OF THE COURT

ORDR
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE A. KING, ESQ.
Nevada Bar No. 14557
ROSENBLUM LAW OFFICES
7375 S Pecos Rd., Ste 101
Las Vegas, NV 89120
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Respondent

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C**

ORDER REGARDING REGISTRATION OF OUT OF STATE CHILD CUSTODY DETERMINATION

Pursuant to NRS 125A.465, this Court, having reviewed the petition for registration of the out of state custody determination entered on March 2, 2017, in the State of North Carolina, county of Craven, and all other papers and pleadings on file.

THE COURT FINDS that the opposing party was properly served with notice of the petition for registration and the opposing party did not request a hearing within 20 days from the date of receiving notice of the registration.

THE COURT ORDERS the registration of the out of state child custody determination is confirmed. Confirmation of a registered child-custody

determination, whether by operation of law or after notice and hearing, precludes further contest of the child-custody determination with respect to a matter that could have been asserted at the time of registration.

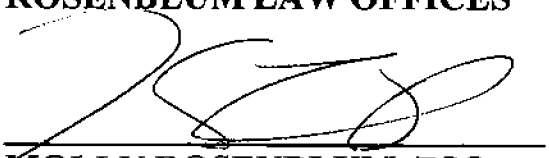
Dated this **Wednesday, July 29, 2020** by:

Dated this 29th day of July, 2020

DISTRICT COURT JUDGE

B9B 51F C67A A0FD
Rebecca L. Burton
District Court Judge

Submitted by:
ROSENBLUM LAW OFFICES



MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
staff@rosenblumlawlv.com
Attorney for Respondent
in an Unbundled Capacity

CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

Ana Maria Salas, Tyler Kyle Edenfield, Plaintiff. vs. Gabino Guardado, Defendant.	CASE NO: D-20-602873-F DEPT. NO. Department C

AUTOMATED CERTIFICATE OF SERVICE

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Order was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

Service Date: 7/29/2020

Rosenblum Law Offices	staff@rosenblumlawlv.com
Gabino Guardado	sugueryr@yahoo.com

Electronically Filed
7/30/2020 2:49 PM
Steven D. Grierson
CLERK OF THE COURT

NEOJ
ROSENBLUM LAW OFFICES
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C**

NOTICE OF ENTRY OF ORDER

Please take notice that an Order, attached hereto, was entered in the above-entitled action on the **Wednesday, July 29, 2020**.

///

///

///

Dated this **Thursday, July 30, 2020**

///

Submitted by:

ROSENBLUM LAW OFFICES

/s/ Molly Rosenblum, Esq.

MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

ELECTRONICALLY SERVED
7/29/2020 1:40 PM

Electronically Filed
07/29/2020 1:40 PM
CLERK OF THE COURT

ORDR
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE A. KING, ESQ.
Nevada Bar No. 14557
ROSENBLUM LAW OFFICES
7375 S Pecos Rd., Ste 101
Las Vegas, NV 89120
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Respondent

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C**

ORDER REGARDING REGISTRATION OF OUT OF STATE CHILD CUSTODY DETERMINATION

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THE COURT ORDERS the registration of the out of state child custody determination is confirmed. Confirmation of a registered child-custody

determination, whether by operation of law or after notice and hearing, precludes further contest of the child-custody determination with respect to a matter that could have been asserted at the time of registration.

Dated this **Wednesday, July 29, 2020** by:

Dated this 29th day of July, 2020

Rebecca L Burton

DISTRICT COURT JUDGE

B9B 51F C67A A0FD
Rebecca L. Burton
District Court Judge

Submitted by:
ROSENBLUM LAW OFFICES

MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
staff@rosenblumlawlv.com
Attorney for Respondent
in an Unbundled Capacity

CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

Ana Maria Salas, Tyler Kyle Edenfield, Plaintiff. vs. Gabino Guardado, Defendant.	CASE NO: D-20-602873-F DEPT. NO. Department C

AUTOMATED CERTIFICATE OF SERVICE

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Order was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

Service Date: 7/29/2020

Rosenblum Law Offices	staff@rosenblumlawlv.com
Gabino Guardado	sugueryr@yahoo.com

Electronically Filed
08/12/2020
CLERK OF THE COURT

CSERV
ROSENBLUM LAW OFFICES
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C**

CERTIFICATE OF SERVICE

I hereby certify that service of the foregoing document:

1. **Notice of Entry of Order**

///

///

///

was made, **Monday, August 03, 2020** by:

☐ **E-FILE ELECTRONIC SERVICE**

Pursuant to NEFCR 9(d), by electronic service through the Eighth Judicial District Court's e-Filing System (EFS), addressed to the following registered users:

☐ **ELECTRONIC SERVICE**

☐ Facsimile, addressed to:

☐ E-Mail, addressed to:

☒ **MAIL**

Depositing a copy of the same in the U.S. Mails, Certified, Return Receipt Requested at Las Vegas, Nevada, postage prepaid, addressed to

Ana Salas
1216 Silver Lake Dr
Las Vegas, NV 89108-1068
Plaintiff in Proper Person

Tyler Edenfield
1216 Silver Lake Dr
Las Vegas, NV 89108-1068
Plaintiff in Proper Person

An Employee of ROSENBLUM LAW OFFICES

Electronically Filed
8/17/2020 10:38 AM
Steven D. Grierson
CLERK OF THE COURT

MOT

ROSENBLUM LAW OFFICES
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE A. KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C** **ORAL ARGUMENT REQUESTED: NO**

MOTION FOR ATTORNEY's FEES AND COSTS PURSUANT TO NRCP 54

COMES NOW, Defendant, GABINO GUARDADO, by and through his attorney of record, KYLE A. KING, ESQ., of ROSENBLUM LAW OFFICES, and hereby files this Motion requesting relief as follows:

1. An order for attorney's fees and costs; and
2. For all other relief this Court deems equitable and just

. . .

This Motion is made and based upon all of the pleadings and papers on file herein, the attached Points and Authorities and Affidavit of Counsel attached hereto.

DATED this 17 day of August 2020.

MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE A. KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
Attorney for Defendant
in an Unbundled Capacity

MEMORANDUM OF POINTS AND AUTHORITIES

I.

STATEMENT OF FACTS

For the purpose of a factual background, the parties to this action are Plaintiff, Ana Salas, ("Plaintiff"), and Defendant, Gabino Guardado, ("Defendant"). The Plaintiff is the maternal Aunt of the minor child's natural mother, who has fled the country and her whereabouts are unknown. The minor in question is Yasline Guardado-Salas, born February 9, 2014, now age six (6). Defendant is on the birth certificate as father of the minor child. ***Procedural Factual History***

Defendant was living in North Carolina with the minor child's natural mother. It was during this time that Defendant was afforded an amazing opportunity to move to Oklahoma to work in the oil fields, this opportunity was one that would provide him with substantial income and an ability to better provide for his family.

Once Defendant left North Carolina in 2015, he believed that the mother of his child would continue to provide for her care and comfort while he was away for at least thirty-six months (36). Unfortunately, this was not what happened.

At some point, the exact date is unknown to the Defendant, the natural mother decided to "sign" custody of the minor child over to Plaintiff. The execution of this occurred on October 9, 2015.

Following this, it is believed that the natural mother had legal trouble, once Defendant left the state and natural mother fled to her birth country of Mexico and/or was deported. Following this on March 2, 2017, in North Carolina a Court in Craven County issued a Custodial Order which formalized Plaintiff's custody over Defendant's child.

Following this, Plaintiff and her then husband divorced, and it is believed the husband is currently homeless, addicted to substances and living in a car.

Plaintiff herself has, on multiple occasions, left the minor child unattended for extended periods or in the care of others while she engages in a pattern of prostitution or escorting.

While Defendant knows and has a relationship with his daughter, he can no longer not have her in his care as he is living in Las Vegas, employed and able to care for her[1]. There have never been any concerns regarding his ability to parent, in fact he did not even know of the proceedings in North Carolina, until December 15, 2019.

Defendant, was informed his child was left in the care of a relative and Plaintiff had "took off." Defendant went, retrieved the child and lived normally, several days later, Plaintiff arrived with the police and the attached custody order and took the child from Defendant[2].

Defendant has been misled and taken advantage of by Plaintiff, due to Defendant's limited ability to understand and speak English, and limited education, Plaintiff has always informed him of what **must** happen. Once Defendant was informed by his family and friends of Plaintiff conduct and misrepresentation's he engaged the services of an attorney to fight for his child as that is all he cares about in this matter.

Procedural History

Specifically, as it relates to the costs incurred by Defendant, he has expended the sum totaling, $3,305.00. Originally, Defendant entered into a flat fee agreement with undersigned counsel for $3,000.00 and Defendant paid the cost to publish the action in accordance with this Court's orders following our first hearing.

Specifically, Defendant filed his Petition For Registration of an Out of State Child Custody Determination on January 24, 2020 and subsequently filed his Motion to Modify on January 27, 2020 simultaneously with his Exhibits in

[1] See Exhibit "E" Defendant Exhibit Appendix
[2] See Exhibit "f" Defendant Exhibit Appendix

support of the same, and the Notice of Petition for Registration of Out of State Child Custody Determination. A notice of hearing was filed on January 28, 2020. Following this Affidavits of Service were filed on February 6, 2020, showing personal service of the Registration filings and Motion by Plaintiff's and a re-notice of hearing was filed on 02/19/2020.

Following this series of filings Defendant's Motion was heard on March 9, 2020. Following this hearing Undersigned counsel file, on April 13, 2020 an Affidavit of Attempted Service and an Ex Parte Motion for an Order to allow service via publication on April 15, 2020.

Following this and the next hearing was held July 27, 2020 and subsequently moved to August 6, 2020, where Defendant was successful on his motion following testimony by Defendant as Plaintiff has refused to participate in litigation in this matter from the inception of the same.

II.

LEGAL ARGUMENT

1. DEFENDANT's MOTION IS TIMELY

Defendant's motion presents a claim for attorney's fees after the Decision from the August 6, 2020 hearing, related to Defendant's motion filed January 27, 2020.

NRCP 54(2) states in relevant part:

> (A) Claim to Be by Motion. A claim for attorney fees must be made by motion. The District Court may decide the motion despite the existence of a pending appeal from the underlying final judgment.
>
> (B) Timing and Contents of the Motion. Unless a statute provides otherwise, the motion must be filed no later than 20 days after notice of entry of judgment is served; specify the judgment and the statute, rule or other grounds entitling the movant to the award; state the amount sought or provide a fair estimate of it; and be supp01ied by counsel's affidavit swearing that the

> fees were actually and necessarily incurred and were reasonable, documentation concerning the amount of fees claimed, and points and authorities addressing factors to be considered by the court in deciding the motion. The time for filing the motion may not be extended by the court after it expired.

Here, the parties attended a hearing and the Order is to be submitted to the Judge for review and signature. As such, no notice of entry of order has been filed and accordingly the twenty (20) day period to file a motion for fees has not ran.

Based on the foregoing facts, this request is timely filed to address Defendant's request for attorney's fees and costs under NRCP 54.

III.

ISSUES BEFORE THE COURT, THEIR ANALYSIS AND END RESULT

1. Judgement for Attorney's Fees incurred due to Plaintiff vexatious practices and frivolous filings

EDCR 7.60(b) states in pertinent part:

> (b) The court may, after notice and an opportunity to be heard, impose upon an attorney or a party any and all sanctions which may, under the facts of the case, be reasonable, including the imposition of fines, costs or attorney's fees when an attorney or a party without just cause:
>
> (1) Presents to the court a motion or an opposition to a motion which is obviously frivolous, unnecessary or unwarranted.
>
> (2) Fails to prepare for a presentation.
>
> (3) So multiplies the proceedings in a case as to increase costs unreasonably and vexatiously.

Here, Plaintiff has, failed to respond to or be actively involved in litigation in this matter. Pursuant to EDCR 7.60(3), Plaintiff's wanton disregard for the

proceedings and failure to participate have caused this matter to unnecessarily drag on.

Specifically, Plaintiff directly caused the litigation to be commenced due to her abandonment of the minor child and subsequent taking of the child from Defendant once placed in Defendant's care by Child Protective Services. Upon filing to Register the Foreign Order from North Carolina, which was obtained by Plaintiff by willfully concealing the proceedings from Defendant and filing his motion to modify the same in this Court, Defendant personally served Plaintiff and her husband at her residence here in Las Vegas. Following this, Plaintiff began and continues to actively conceal both her location and the location of the subject minor without good cause to do the same.

The most recent filing cost Defendant three-thousand, three hundred and five dollars ($3,305.00).[3]

To date, Defendant has lost the sum totaling $3,305.00, pursuing litigation to overturn an ill-gotten custodial order by Plaintiff. Plaintiff has taken a position that only can be described as vexatious. Plaintiff's motive is to avoid the Court in the hope Defendant will not be able to either afford to pursue her or will simply give up on the hopes of having his child in his care.

As such, Pursuant to EDCR 7.60(b)(1) and EDCR 7.60(b)(3), an award of attorney's fees is justified in the amount of $3,305.00, as Plaintiff by and through her conduct has shown that she will never abide by the rule of law regardless of the damage it does to both Defendant and the subject minor and it would appear sanctions are proper in this matter.

[3] See Fee Agreement and payment receipts designated as Exhibit "C" in Defendant Exhibit Appendix

2. Custody Proceeding

NRS 18.010 governs an award of attorney's fees, and states:

> **NRS 18.010. Award of attorney's fees.**
> 1. The compensation of an attorney and counselor for his services is governed by agreement, express or implied, which is not restrained by law.
> 2. In addition to the cases where an allowance is authorized by specific statute, the court may make an allowance of attorney's fees to a prevailing party:
> (a) When he has not recovered more than $20,000; or
> (b) Without regard to the recovery sought, when the court finds that the claim, counterclaim, cross-claim or third-party complaint or defense of the opposing party was brought without reasonable ground or to harass the prevailing party.
> 3. In awarding attorney's fees the court may pronounce its decision on the fees at the conclusion of the trial or special proceeding without written motion and with or without presentation of additional evidence.
> 4. No oral application or written motion for attorney's fees alters the effect of a final judgment entered in the action or the time permitted for an appeal therefrom.
> 5. Subsections 2, 3 and 4 do not apply to any action arising out of a written instrument or agreement which entitles the prevailing party to an award of reasonable attorney's fees.

As it relates to the Custody proceedings, Defendant prevailed on his Motion to Modify.

The Court clearly has been shown that Plaintiff has and continues to engage in activities that place the minor child in positions of vulnerability. Further, Plaintiff has concealed the subject minor from Defendant and failed to participate in this litigation. Based on the paper and pleadings in this matter it was shown that it was in the subject minors best interest to be in the sole care of Defendant.

Plaintiff has and will likely continue to avoid and evade the Court in this jurisdiction until such time that she is incarcerated for fleeing with the Subject minor. Pursuant to NRS 18.010(2), Defendant has, to date, recovered no attorney's fees in this matter. Further, under NRS 18.010(3), this Court found that Plaintiff's Motion was brought with reasonable grounds.

As such, and with Dayna clearly being the prevailing party, this Court should grant Defendant the full $3,305.00 in fees that he has expended, to date, litigating against Plaintiff's actions.

IV.

Brunzell Analysis

Miller v. Wilfong, 119 P.3d 727 (2005) addresses an award of attorney's fees in family law cases. Furthermore, in considering an award of attorney's fees, the trial court has discretion to determine the reasonableness of the request and in exercising that discretion, the court must evaluate the factors set forth in *Brunzell v. Golden Gate National Bank*, 85 Nev. 345 (1969). Under *Brunzell*, the Court must consider various factors, including:

a.) The qualities of the advocate;

b.) The character and difficulty of the work performed;

c.) The work actually performed by the attorney; and

d.) The result obtained.

Kyle A. King Esq., has been licensed as an attorney in the State of Nevada since June 8, 2018. Molly Rosenblum, Esq., has been licensed as an attorney in the State of Nevada for over seventeen (17) years. Ms. Rosenblum has practices primarily in family for at least the last twelve years of her legal career and Mr. King has worked exclusively in family law since being barred in June of 2018. Counsel has litigated several matters to judgment and currently has over fifty active family law cases.

Molly Rosenblum, Esq., currently bills at a rate of $400.00 per hour, which is at or below the market value of an attorney of her age, experience and expertise in the area of family law. Kyle A. King, Esq., currently bills at a rate of $300.00 per hour as is at or below market value for an attorney of his age and experience.

In this matter, Defendant has incurred attorney's fees and costs sin the total amount of $3,305.00. This sum included the Defendant's Motion to Modify Child Custody, and the Registration of the Foreign Custodial Order. The sum also includes the preparation of exhibits in support of Defendant's Motion, preparing for the hearings and attendance at the hearings in this matter. Following the work completed by undersigned counsel and only undersigned counsel Defendant obtained the following results, Defendant's motion to modify was granted, and he was awarded sole legal sole physical custody of the subject minor. Defendant prevailed at all junctions in this matter.

Therefore, Defendant requests an award totaling $3,305.00 in attorney's fees and sanctions against Plaintiff pursuant to NRS 18.010 and EDCR 7.60(b) and (c).

. . .

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. . .

V.

CONCLUSION

Based upon the foregoing reasons, Defendant respectfully respects that this Honorable Court grant his Motion in its entirety, and award attorney's fees in this instant matter.

DATED this 17 day of August 2020

ROSENBLUM LAW OFFICES

By: _____

KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
Attorney for Defendant

AFFIDAVIT OF KYLE A. KING, ESQ.

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

KYLE A. KING, Esq., being first duly sworn, upon his oath, deposes and says:

1. That he is an attorney duly licensed to practice in the State of Nevada and attorney for Defendant in the above-referenced matter; that Affiant makes this affidavit in support of the Motion for Attorney's Fees and Costs Pursuant to NRCP 54; that he has personal knowledge of the matters contained in this affidavit and is competent to testify as to the same.

2. That I have read the foregoing Motion and can testify that the facts contained therein are true and correct to the best of my knowledge. I hereby affirm and restate them as if set forth fully herein. The fees and costs requested by Defendant were actually and necessarily incurred and were reasonable.

3. I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

KYLE A. KING, ESQ.

SUBSCRIBED AND SWORN to
before me this 17TH day of August 2020.

Claire C. Munoz
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 13-11167-1
My Appt. Expires May 17, 2021

Claire C. Munoz
NOTARY PUBLIC in and for said
County and State

MOFI

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD Plaintiff/Petitioner v. GABINO GUARDADO Defendant/Respondent	Case No. D-20-602873-F Dept. C **MOTION/OPPOSITION FEE INFORMATION SHEET**

Notice: Motions and Oppositions filed after entry of a final order issued pursuant to NRS 125, 125B or 125C are subject to the reopen filing fee of $25, unless specifically excluded by NRS 19.0312. Additionally, Motions and Oppositions filed in cases initiated by joint petition may be subject to an additional filing fee of $129 or $57 in accordance with Senate Bill 388 of the 2015 Legislative Session.

Step 1. Select either the $25 or $0 filing fee in the box below.

☐ **$25** The Motion/Opposition being filed with this form is subject to the $25 reopen fee.

-OR-

☒ **$0** The Motion/Opposition being filed with this form is not subject to the $25 reopen fee because:

- ☒ The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.
- ☐ The Motion/Opposition is being filed solely to adjust the amount of child support established in a final order.
- ☐ The Motion/Opposition is for reconsideration or for a new trial, and is being filed within 10 days after a final judgment or decree was entered. The final order was entered on _____.
- ☐ Other Excluded Motion (must specify) _____.

Step 2. Select the $0, $129 or $57 filing fee in the box below.

☒ **$0** The Motion/Opposition being filed with this form is not subject to the $129 or the $57 fee because:

- ☐ The Motion/Opposition is being filed in a case that was not initiated by joint petition.
- ☐ The party filing the Motion/Opposition previously paid a fee of $129 or $57.

-OR-

☐ **$129** The Motion being filed with this form is subject to the $129 fee because it is a motion to modify, adjust or enforce a final order.

-OR-

☐ **$57** The Motion/Opposition being filing with this form is subject to the $57 fee because it is an opposition to a motion to modify, adjust or enforce a final order, or it is a motion and the opposing party has already paid a fee of $129.

Step 3. Add the filing fees from Step 1 and Step 2.

The total filing fee for the motion/opposition I am filing with this form is:
☒ **$0** ☐ **$25** ☐ **$57** ☐ **$82** ☐ **$129** ☐ **$154**

Party filing Motion/Opposition: GABINO GUARDADO (DEFENDANT) Date 8/17/2020

Signature of Party or Preparer Claire Munoz

Electronically Filed
8/17/2020 10:38 AM
Steven D. Grierson
CLERK OF THE COURT

CSERV
ROSENBLUM LAW OFFICES
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C**

CERTIFICATE OF SERVICE

I hereby certify that service of the foregoing document:

1. **Motion for Attorney's Fees and Costs.**

///

///

///

was made, **Monday, August 17, 2020** by:

E-FILE ELECTRONIC SERVICE

Pursuant to NEFCR 9(d), by electronic service through the Eighth Judicial District Court's e-Filing System (EFS), addressed to the following registered users:

ELECTRONIC SERVICE

Facsimile, addressed to:

E-Mail, addressed to:

MAIL

Depositing a copy of the same in the U.S. Mails, Certified, Return Receipt Requested at Las Vegas, Nevada, postage prepaid, addressed to

Ana Salas
1216 Silver Lake Dr
Las Vegas, NV 89108-1068
Plaintiff in Proper Person

Tyler Edenfield
1216 Silver Lake Dr
Las Vegas, NV 89108-1068
Plaintiff in Proper Person

Claire Munoz

An Employee of ROSENBLUM LAW OFFICES

Electronically Filed
8/20/2020 6:58 AM
Steven D. Grierson
CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA
****

Ana Maria Salas, Tyler Kyle Edenfield, Plaintiff. vs. Gabino Guardado, Defendant.	Case No.: D-20-602873-F Department C

NOTICE OF HEARING

Please be advised that the Motion for Attorney's Fees and Costs Pursuant to NRCP 54 in the above-entitled matter is set for hearing as follows:

Date: September 30, 2020

Time: 2:15 PM

Location: Courtroom 08
Family Courts and Services Center
601 N. Pecos Road
Las Vegas, NV 89101

NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Juanito Nasarro
Deputy Clerk of the Court

CERTIFICATE OF SERVICE

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Juanito Nasarro
Deputy Clerk of the Court

Electronically Filed
8/28/2020 11:44 AM
Steven D. Grierson
CLERK OF THE COURT

EXHS

ROSENBLUM LAW OFFICES
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE A. KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C** **ORAL ARGUMENT REQUESTED: NO**

EXHIBIT APPENDIX IN SUPPORT OF DEFENDANT'S MOTION FOR ATTORNEY's FEES AND COSTS PURSUANT TO NRCP 54

COMES NOW, the Plaintiff, **GABINO GUARDADO**, by and through his attorney, KYLE A. KING, ESQ., of ROSENBLUM LAW OFFICES, *in an unbundled capacity,* and hereby submits his exhibits in support of his Motion for Fees and Cost as follows:

///

///

///

Exhibit 1: Flat Fee Agreement and billing statements

Dated this **Friday, August 28, 2020.**

Submitted by:
ROSENBLUM LAW OFFICES

MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE A. KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
Attorney for Defendant
in an Unbundled Capacity

EXHIBIT "1"

EXHIBIT "1"

Rosenblum

Law Offices

o

CONTRACT FOR LEGAL SERVICES

Date of Agreement: December 24, 2019

Client:	Gabino Guardado
Address:	4339 Cartegena Way Las Vegas, NV 89121
Tel:	(725) 212-6519 (Doesn't speak English), (702) 689-4422 (Girlfriend)
Email:	sugueryr@yahoo.com

AGREEMENT TO EMPLOY ATTORNEY

This AGREEMENT TO EMPLOY ATTORNEY is entered into between Gabino Guardado ("Client"), and the ROSENBLUM LAW OFFICES ("Attorney").

1. SCOPE AND DUTIES.

Client hires Attorney for the purpose of representing client for the following work:

- DRAFT PAPERWORK
  - o Complaint/Answer/Reply
  - ☒ Motion/Opposition/Reply
  - ☒ Case Management Brief
  - o Settlement Conference Brief
  - o Pretrial Memorandum
  - o Motions in Limine
  - o Joint Petition
  - o Decree of Divorce
  - o Other:_____
- ATTEND COURT
  - ☒ Motion Hearing/Opposition Hearing
  - o TPO Hearing
  - ☒ Case Management Conference
  - o Settlement Conference
  - o Trial/Adjudicatory Hearing/Evidentiary Hearing
  - o COC/Plea/Review Hearings
  - o Other:_____

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- DISCOVERY
  - Initial List of Witnesses and Exhibits
  - Interrogatories/Requests for Admissions/Requests for Documents
  - Discovery Motions
  - ☒ Financial Disclosure Form
  - Other:_____

- OTHER
  - Trial Notebooks
  - Depositions
  - Resident Witness Affidavit
  - Request for Summary Disposition
  - Other:_____

This includes up to 20 hours of billable time. Billable time is billed at the rates set forth herein and includes any and all work done on client's case including but not limited to preparation of pleadings, emails, negotiations with the opposing party, attendance at hearing, legal research, client meetings etc. If client exceeds 20 hours of billable time, attorney reserves the right as stated herein, to convert this matter to an hourly fee matter.

It is important for Client to understand that the fees stated herein are a flat fee and are not the "ceiling" for fees Attorney will charge. Rather, based upon Attorneys education, training and experience, Attorneys maintain that the fees stated herein are reasonable and customary for the work to be performed. If a specific task or item of work is not performed, Client agrees that the fees set forth herein are still reasonable even though a specific task was not necessarily completed.

2. LEGAL FEES.

Client agrees to pay the lump sum legal fees of $3000.00. This is a flat fee for the above stated work. The fees are earned upon receipt as work on client's case will begin immediately and are non-refundable.

If the work is not specifically listed in this agreement, it will be within Attorney's discretion whether any work not specified in this agreement will be performed.

It will be within Attorney's sole discretion whether to convert this agreement to an hourly fee agreement. Attorney will notify client of the need to bill hourly within ten (10) days of making said modification. Client must notify Attorney within said timeframe whether Client consents to be billed by the hour. If Client does not respond or does not consent, Attorney shall withdraw from the case.

Events that may cause attorney to engage in hourly billing include, but are not limited to: (1) the other party's unwillingness to cooperate in litigation; (2) Client making unreasonable demands upon the Attorney; (3) Client failing to communicate with Attorney; (4) Client taking steps that Attorney has not authorized or advised that are adverse to Client's case; or (5) Client's case is, or becomes, complex and requires extensive work beyond the retainer stated herein.

In the event attorney must bill by the hour, client further agrees that the normal billing rate for Molly Rosenblum, Esq. is $450, for Courtney Ketter, Esq. is $300 per hour, for Kyle King, Esq. is $300 per hour, for Sheila Tajbakhsh, Esq. is $300 per hour, for Claire Munoz is $90 per hour, for Ben Murphy is $75 per hour. Client agrees that these fees are reasonable on the basis of Attorney's ability, training, education, experience, professional standing and skill, and the difficulty, intricacy, importance, and time and skill required to perform the work to be done. It will be within the Attorney's sole discretion whether to bill at discounted rates, write off time or otherwise reduce client's bill.

In addition to fees, it is within Attorney's sole discretion as to whether to charge Client for costs. Costs include, but are not limited to, court costs, filing fees, photocopying ($.15/page), long distance telephone calls, excessive postage, notary fees, mileage (at the rate authorized by law for business miles), and other necessary court and office costs. These costs are in addition to the fee for Firm's services and may be billed to Client directly at Attorney's discretion. Costs for experts and/or court reporters for depositions will be paid by Client. Attorney is under no obligation to advance costs on behalf of Client.

Client further agrees that if paying by a credit card that the fees stated herein are reasonable and have been agreed upon. Client further understands that if someone else is paying on Client's behalf that Client is ultimately responsible for *all* fees stated herein. In the event of a chargeback of fees, Client stipulates that Attorney may file a lien against Client's case for all fees and costs (not just the balance due on the flat fee) as if Client were being billed by the hour.

3. SUPOENAS AND EXPERTS

Client agrees and understands that Attorney may ask Client to subpoena records or witnesses and/or obtain an expert for their case. The subpoenaing of witnesses and records and/or the obtaining of an expert is at Client's sole expense. Once a determination is made to subpoena witnesses and/or records and/or obtain an expert, Client will be required to execute a separate fee agreement that explains the scope of the retention for these matters as well as the costs associated with the same.

Under NO CIRCUMSTANCES will Attorneys subpoena witnesses or records nor will Attorneys engage an expert without a separate agreement fully executed by Client and payment in full for said services.

4. PUBLICATION AND SERVICE OF PROCESS

At the outset of the retention, Attorneys will ask Client to provide the best address for the opposing party to be served with documents. Please note: this cannot be a business and *must* be a residence. Attorneys will make every effort to have the opposing party served but the Process Server will make no more than five (5) attempts at the address provided by Client.

If Client wishes for the opposing party to be served at multiple addresses, Attorneys reserve the right to charge Client for additional service attempts.

Likewise, if service fails and publication becomes necessary, Client agrees and understands that Attorneys will charge client separately for publication costs including, but not limited to, publication with Nevada Legal News, skip trace and affidavits of due diligence and attempted service. Client agrees to pay Attorneys a minimum of $750 for publication services and costs in addition to the fees stated herein. Therefore, Client will make every effort to provide Attorneys with the best possible address for service of process at the *very beginning* of the case.

5. DISCLAIMER OF GUARANTEE

Client agrees and understands that Attorneys cannot guarantee an outcome in any case. The resolution of a case often depends upon the facts of each individual case, the willingness of the parties to resolve their case and the discretion of the judge. By retaining Attorneys, Client understands that Attorney cannot under any circumstances guarantee an outcome of the case. Rather, Client is retaining Attorneys for their knowledge and expertise and Client is not and cannot retain Attorney for a guaranteed outcome.

6. LIENS AND ADJUDICATION.

Client hereby grants Attorney a lien on any and all claims or causes of action that are related to the subject of Attorney's representation under this Agreement. Attorney's lien will be for any sums due and owing to Attorney at the conclusion of Attorney's services, whether or not the case has been concluded. The lien will attach to any recovery Client may obtain, whether by arbitration award, judgment, settlement, or otherwise. Any amounts received by Attorney's office on Client's behalf may be used to pay Client's account.

Attorney will retain possession of Client's file and all information therein until full payment of all costs, expenses, and fees for legal services, subject to turnover or destruction of the file as set out herein. Client consents to the district court's adjudication of any such lien and during the pendency of the underlying action without requiring the filing of a separate action, regardless of whether any other action might be or has been filed by either Attorney or Client against the other, including any action alleging malpractice.

7. PAYMENTS

Attorneys make every effort to work with Client's finances and therefore, Attorney's, in their sole discretion, will accept payments on Client's account. If Client intends to make payments rather than paying their balance in full at the time of retention, Client *must* provide a credit card to keep on file with Attorney's and execute the authorization attached hereto allowing Attorney's to charge the card on file once per month.

It is important for Client to understand the Attorney's billing cycles for predictability in being charged for services. Attorneys have two billing cycles per month. The first billing cycle is from the first of the month to the fifteenth of the month and the second billing cycle is from the sixteenth of the month to the end of the month.

If Client pays an initial retainer in the first billing cycle, Client's next bill will become due on the fifteenth of the next month. If Client pays an initial retainer in the second billing cycle, Client's next bill will become due on the last day of the next month.

For example, if Client retains and makes an initial payment on the 7th of August, Client's next bill will be due the 15th of September, and each payment thereafter will be due on the 15th of each subsequent month until the balance is paid. If Client retains and makes an initial payment on the 20th of August, Client's next bill will be due on the 30th of September and each payment thereafter will be due on the last day of each subsequent month until the balance is paid.

Failure to make a payment by the last day of Client's billing cycle each month, will result in Attorney's immediate withdrawal from the case. In addition, if the card on file is unable to be charged or fails for any reason, Client will have three days from the date of notification of the failed charge to pay Client's bill or Attorney's will withdraw.

8. DISCHARGE AND WITHDRAWAL.

Client may discharge Attorney at any time, although Client understands that court rules might still require Attorney to file a motion to withdraw. Attorney may withdraw at any time at Attorney's discretion or based upon the terms and conditions stated in this Agreement. In any such circumstance, Client agrees to sign the documents necessary to permit Attorney to withdraw.

Client has been informed that among the events that should be expected to cause Attorney's withdrawal from this case are Client's breach of any portion of this Agreement (including its payment provisions), Client's refusal to cooperate with Attorney or to follow Attorney's advice on a material matter, or any other fact or circumstance that would render Attorney's continuing representation unlawful, unethical, or impractical.

Specifically, while it is the province of the Client to identify the "objectives of representation," a lawyer is not required to pursue objectives or employ means simply because a client may wish that the lawyer do so. The terms of a lawyer's representation may exclude specific objectives or means, including those that a lawyer regards as repugnant or imprudent.

If Client shall desire to retain other counsel, then Attorney shall be paid the amount then due and owing for costs, expenses, or fees for legal services incurred in Client's case.

Gabino Guardado

Gabino Guardado
OFFICES
CLIENT

ROSENBLUM LAW

Rosenblum
Law Offices

Statement

Date
4/27/2020

To:
Gabino Guardado 4339 Cartegena Way Las Vegas, NV 89121

Amount Due	Amount Enc.
$0.00	

Date	Transaction	Amount	Balance
12/31/2009	Balance forward		0.00
	D2019.12.24.0001-		
12/24/2019	INV #8065. Due 12/24/2019.	3,000.00	3,000.00
12/24/2019	PMT	-1,500.00	1,500.00
01/24/2020	INV #8231. Due 01/24/2020.	0.00	1,500.00
01/25/2020	PMT #27867252.	-750.00	750.00
02/05/2020	INV #8324. Due 02/05/2020.	0.00	750.00
02/11/2020	PMT #28443030.	-750.00	0.00
03/17/2020	INV #8594. Due 03/17/2020.	0.00	0.00
04/13/2020	INV #8845. Due 04/13/2020.	0.00	0.00
04/23/2020	INV #8879. Due 04/23/2020.	305.00	305.00
04/26/2020	PMT #30900169.	-305.00	0.00

CURRENT	1-30 DAYS PAST DUE	31-60 DAYS PAST DUE	61-90 DAYS PAST DUE	OVER 90 DAYS PAST DUE	Amount Due
0.00	0.00	0.00	0.00	0.00	$0.00

7375 S Pecos Rd, Ste 101 - Las Vegas, NV 89120-3773
(702) 433-2889 - (702) 425-9642 Fax
www.rosenblumlawlv.com

THIS SEALED
DOCUMENT,
NUMBERED PAGE(S)
166 - 175
WILL FOLLOW VIA
U.S. MAIL

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Steven D. Grierson
CLERK OF THE COURT

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ROSENBLUM LAW OFFICES
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C**

CERTIFICATE OF SERVICE

I hereby certify that service of the foregoing document:

1. **Exhibit Appendix in Support of Defendant's Motion for Attorneys Fees and Costs Pursuant to NRCP 54**

///

///

///

was made, **Tuesday, September 01, 2020** by:

☐ **E-FILE ELECTRONIC SERVICE**

Pursuant to NEFCR 9(d), by electronic service through the Eighth Judicial District Court's e-Filing System (EFS), addressed to the following registered users:

☐ **ELECTRONIC SERVICE**

☐ Facsimile, addressed to:

☐ E-Mail, addressed to:

☒ **MAIL**

Depositing a copy of the same in the U.S. Mails, Certified, Return Receipt Requested at Las Vegas, Nevada, postage prepaid, addressed to

Ana Salas
1216 Silver Lake Dr
Las Vegas, NV 89108-1068
Plaintiff in Proper Person

Tyler Edenfield
1216 Silver Lake Dr
Las Vegas, NV 89108-1068
Plaintiff in Proper Person

An Employee of ROSENBLUM LAW OFFICES

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Steven D. Grierson
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CSERV
ROSENBLUM LAW OFFICES
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
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(702) 433-2889—Phone
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Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C**

CERTIFICATE OF SERVICE

I hereby certify that service of the foregoing document:

1. **General Financial Disclosure Form**

///

///

///

was made, **Tuesday, September 01, 2020** by:

☐ **E-FILE ELECTRONIC SERVICE**

Pursuant to NEFCR 9(d), by electronic service through the Eighth Judicial District Court's e-Filing System (EFS), addressed to the following registered users:

☐ **ELECTRONIC SERVICE**

☐ Facsimile, addressed to:

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☒ **MAIL**

Depositing a copy of the same in the U.S. Mails, Certified, Return Receipt Requested at Las Vegas, Nevada, postage prepaid, addressed to

Ana Salas
1216 Silver Lake Dr
Las Vegas, NV 89108-1068
Plaintiff in Proper Person

Tyler Edenfield
1216 Silver Lake Dr
Las Vegas, NV 89108-1068
Plaintiff in Proper Person

An Employee of ROSENBLUM LAW OFFICES

Electronically Filed
10/19/2020 9:03 AM
CLERK OF THE COURT

ORDR

DISTRICT COURT, FAMILY DIVISION

CLARK COUNTY, NEVADA

ANA MARIA SALAS, and TYLER EDENFIELD,	)	
Plaintiffs,	)	
vs.	)	CASE NO. D-20-602873-F DEPT NO. C
PAOLA LETICIA SALAS, and GABINO GUARDADO,	)	Date of Hearing: 09/30/2020 IN-CHAMBERS
Defendants.	)	

ORDER

THIS MATTER having come before the Court on Defendant, Gabino Guardado ("Gabino")'s *Motion for Attorney's Fees and Costs Pursuant to NRCP 54* served by mail on August 17, 2020 to which Plaintiffs, Ana Salas and Tyler Edenfield ("Plaintiffs"), did not file a reply.[1] Gabino is represented by Attorney Kyle King, and the Plaintiffs have not appeared in this litigation either personally or through counsel; the Court having reviewed the pleadings and papers on file in this case and good cause appearing therefor,

[1] Plaintiffs, relatives of the child's natural mother, had custody of the child pursuant to default proceedings in North Carolina. Gabino is not seeking further relief against the child's natural mother, Paola Leticia Salas, who has disappeared and is believed to have been deported.

REBECCA L. BURTON
DISTRICT JUDGE
FAMILY DIVISIONAL DIVISION
LAS VEGAS, NEVADA 89155-2212

Statistically closed: USJR-FAM-Set/Withdrawn with Judicial Conf/Hearing Close Case (UWJC)

NRCP 54(d) states:

(d) ***Attorney Fees.***
(1) ***Reserved.***
(2) ***Attorney Fees.***
(A) ***Claim to Be by Motion.*** *A claim for attorney fees must be made by motion. The court may decide a postjudgment motion for attorney fees despite the existence of a pending appeal from the underlying final judgment.*

COURT FINDS that Gabino's request for attorney fees was brought before the Court by his *Motion for Attorney's Fees and Costs Pursuant to NRCP 54* filed on August 17, 2020.

(B) ***Timing and Contents of the Motion.*** *Unless a statute or a court order provides otherwise, the motion must:*
(i) be filed no later than 21 days after written notice of entry of judgment is served;

COURT FINDS that the *Motion* is timely filed because the written order from the August 6, 2020 hearing has not yet been entered.

(ii) specify the judgment and the statute, rule, or other grounds entitling the movant to the award;

COURT FINDS that Gabino's request for fees and costs pertains to orders the Court made at a hearing held August 6, 2020 on Gabino's request for sole legal custody and sole physical custody of his minor child which was successful. Gabino was directed to file a *General Financial Disclosure Form* and a *Memorandum of Fees and Costs* by August 20,

REBECCA L. BURTON
DISTRICT JUDGE
FAMILY DIVISIONAL TRIAL
LAS VEGAS, NV 89101-2408

2020. Plaintiff were allowed until September 3, 2020 to file a *Reply*. Gabino is seeking attorney fees pursuant to NRS 18.010 and EDCR 7.60(b).

NRS 18.010(2)(b) states:

> *In addition to the cases where an allowance is authorized by specific statute, the court may make an allowance of attorney's fees to a prevailing party:*
>
> . . . .
>
> *(b) Without regard to the recovery sought, when the court finds that the claim, counterclaim, cross-claim or third-party complaint or defense of the opposing party was brought or maintained without reasonable ground or to harass the prevailing party. The court shall liberally construe the provisions of this paragraph in favor of awarding attorney's fees in all appropriate situations. It is the intent of the Legislature that the court award attorney's fees pursuant to this paragraph and impose sanctions pursuant to Rule 11 of the Nevada Rules of Civil Procedure in all appropriate situations to punish for and deter frivolous or vexatious claims and defenses because such claims and defenses overburden limited judicial resources, hinder the timely resolution of meritorious claims and increase the costs of engaging in business and providing professional services to the public.*

COURT FINDS that under NRS 18.010(2)(b), Gabino must do more than prevail. There must be evidence supporting a finding that the claim or defense was unreasonable or brought to harass, but the plaintiffs did not bring a claim or defense. In a published decision, the Court of Appeals explains:

> NRS 18.010(2)(b) targets only how the litigation itself is conducted, not what the parties did before the litigation commenced. [Defendant] may or may not have had a good

REBECCA L. BURTON
DISTRICT JUDGE

> reason to keep [Plaintiff's] property; either way, NRS 18.010(2)(b) permits an award of fees only if [Defendant] "brought or maintained" a defense during the litigation itself that was either groundless or intended to harass.

In re 12067 Oakland Hills, Las Vegas, Nevada 89141, 134 Nev. 799, 803, 435 P.3d 672 (2019) (award of attorney fees reversed because defendant conceded to the relief requested in the motion brought by plaintiff). Without a claim or defense, the Court cannot make findings concerning the nature of the non-existent claim or defense without which the Court is unable to award attorney fees under NRS 18.010(2)(b).

EDCR 7.60(b) states:

> *The court may, after notice and an opportunity to be heard, impose upon an attorney or a party any and all sanctions which may, under the facts of the case, be reasonable, including the imposition of fines, costs or attorney's fees when an attorney or a party without just cause:*
> *(1) Presents to the court a motion or an opposition to a motion which is obviously frivolous, unnecessary or unwarranted.*
> *(2) Fails to prepare for a presentation.*
> *(3) So multiplies the proceedings in a case as to increase costs unreasonably and vexatiously.*
> *(4) Fails or refuses to comply with these rules.*
> *(5) Fails or refuses to comply with any order of a judge of the court.*

COURT FINDS that although the plaintiffs were served with this action through which the natural father claimed custody of his child held by

REBECCA L. BURTON
DISTRICT JUDGE
EIGHTH JUDICIAL DISTRICT
LAS VEGAS, NV 89101-2408

the plaintiffs through a default custody order, the plaintiffs failed to respond forcing Gabino to bring these proceedings. Accordingly, the Court finds that the plaintiffs in bad faith multiplied the proceedings to increase costs unreasonably and vexatiously to Gabino.

(iii) state the amount sought or provide a fair estimate of it;

COURT FINDS that Gabino is seeking the sum of $3,305.00 in attorney fees and costs.

(iv) disclose, if the court so orders, the nonprivileged financial terms of any agreement about fees for the services for which the claim is made; and

COURT FINDS that Gabino was not required to provide his contract with Attorney Kyle King, but Gabino did provide the contract to the Court.

(v) be supported by:

(a) counsel's affidavit swearing that the fees were actually and necessarily incurred and were reasonable;

COURT FINDS that Gabino's *Motion for Attorney's Fees and Costs Pursuant to NRCP 54* was accompanied by the *Affidavit of Kyle A. King, Esq.* swearing that the fees and costs were actually and necessarily incurred and were reasonable.

////

REBECCA L. BURTON
DISTRICT JUDGE
FAMILY DIVISION, DEPT. L
LAS VEGAS, NV 89101-2408

(b) documentation concerning the amount of fees claimed; and

COURT FINDS that Gabino's *Motion for Attorney's Fees and Costs Pursuant to NRCP 54* was accompanied by a breakdown of the services in support of the fees and costs claimed.

(c) points and authorities addressing the appropriate factors to be considered by the court in deciding the motion.

COURT FINDS that Gabino supported his request with the factors required by *Brunzell v. Golden Gate National Bank,* 85 Nev. 345, 349, 455 P.2d 31 (1969) to include the qualities of the advocate, the character and difficulty of the work performed, the work actually performed by the attorney, and the result obtained, together with billing breakdown, and those factors and billing breakdown were reviewed and considered by this Court. In this regard, the Court finds that the hourly rate charged by Attorney Kyle King is justified by his education, expertise, and skill. The work was somewhat complex due to the service and jurisdictional issues and included filing the petition to register the foreign judgment, two motions, and three separate appearances before the Court followed by drafting orders. The result was successful. Attorney King charged a flat

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REBECCA L. BURTON
DISTRICT JUDGE
EIGHTH JUDICIAL DISTRICT
LAS VEGAS, NV 89101-2408

rate of $3,000 for his work plus costs which the Court finds to be reasonable.

> *(C)* ***Extensions of Time.*** *The court may not extend the time for filing the motion after the time has expired.*

COURT FINDS that Gabino did not ask for an extension of time.

> *(D)* ***Exceptions.*** *Rules 54(d)(2)(A) and (B) do not apply to claims for attorney fees as sanctions or when the applicable substantive law requires attorney fees to be proved at trial as an element of damages.*

COURT FINDS that the award of attorney fees is a sanction for the plaintiffs failure to participate in this case. . Accordingly, the particulars required by subsections (A) and (B) are not necessary, but have been met.

Finally, as required by *Miller v. Wilfong,* 121 Nev. 619, 119 P.3d 727 (2005) and *Wright v. Osburn,* 114 Nev. 1367, 970 P.2d 1071 (1998), the Court must consider the parties' respective financial means in making an award of attorney fees in a family law matter.

COURT FINDS that pursuant to the *General Financial Disclosure Form* filed by Gabino on September 1, 2020, his gross monthly income is $3,466. The Court does not have a *General Financial Disclosure Form* from the plaintiffs who have not participated in these proceedings.

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REBECCA L. BURTON
DISTRICT JUDGE
FAMILY DIVISION, DEPT. L
LAS VEGAS, NV 89101-2408

Accordingly, the Court assumes that the plaintiffs will be able to pay the attorney fees awarded herein.

NOW, THEREFORE, IT IS HEREBY ORDERED that Gabino is awarded the sum of $3,305.00 as and for attorney's fees and costs against the plaintiff, which sum is hereby reduced to judgment collectable by any and all legal means.

Dated this 19th day of October, 2020

97A DC1 AF98 B0C1
Rebecca L. Burton
District Court Judge

REBECCA L. BURTON
DISTRICT JUDGE

CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

Ana Maria Salas, Tyler Kyle Edenfield, Plaintiff. vs. Gabino Guardado, Defendant.	CASE NO: D-20-602873-F DEPT. NO. Department C

AUTOMATED CERTIFICATE OF SERVICE

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Order was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

Service Date: 10/19/2020

Rosenblum Law Offices	staff@rosenblumlawlv.com
Gabino Guardado	sugueryr@yahoo.com

If indicated below, a copy of the above mentioned filings were also served by mail via United States Postal Service, postage prepaid, to the parties listed below at their last known addresses on 10/20/2020

Ana Salas	1216 Silver Lake DR Las Vegas, NV, 89108
Molly Rosenblum	7375 S Pecos RD STE 101 Las Vegas, NV, 89120
Tyler Edenfield	1216 Silver Lake DR Las Vegas, NV, 89108

NEO

Electronically Filed
10/19/2020 11:01 AM
Steven D. Grierson
CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

* * *

Ana Maria Salas, Tyler Kyle Edenfield, Plaintiff. vs. Gabino Guardado, Defendant.	Case No: D-20-602873-F Department C

NOTICE OF ENTRY OF ORDER

Please take notice that an ORDER was entered in the foregoing action and the following is a true and correct copy thereof.

Dated: October 19, 2020

/s/ Lourdes Child
Lourdes Child
Judicial Executive Assistant
Department C

CERTIFICATE OF SERVICE

I hereby certify that on the above file stamp date:

☒ I mailed, via first-class mail, postage fully prepaid, the foregoing NOTICE OF ENTRY OF ORDER to:

Ana Maria Salas
1216 Silver Lake DR
Las Vegas, NV 89108

Kyle A. King, Esq.
staff@rosenblumlaw.com

Gabino Guardado
sugueryr@yahoo.com

Tyler Kyle Edenfield
1216 Silver Lake DR
Las Vegas, NV 89108

/s/ Lourdes Child
Lourdes Child
Judicial Executive Assistant
Department C

Electronically Filed
10/19/2020 9:03 AM
CLERK OF THE COURT

ORDR

DISTRICT COURT, FAMILY DIVISION

CLARK COUNTY, NEVADA

ANA MARIA SALAS, and TYLER EDENFIELD,	)	
Plaintiffs,	)	
vs.	)	CASE NO. D-20-602873-F DEPT NO. C
PAOLA LETICIA SALAS, and GABINO GUARDADO,	)	Date of Hearing: 09/30/2020 IN-CHAMBERS
Defendants.	)	

ORDER

THIS MATTER having come before the Court on Defendant, Gabino Guardado ("Gabino")'s *Motion for Attorney's Fees and Costs Pursuant to NRCP 54* served by mail on August 17, 2020 to which Plaintiffs, Ana Salas and Tyler Edenfield ("Plaintiffs"), did not file a reply.[1] Gabino is represented by Attorney Kyle King, and the Plaintiffs have not appeared in this litigation either personally or through counsel; the Court having reviewed the pleadings and papers on file in this case and good cause appearing therefor,

[1] Plaintiffs, relatives of the child's natural mother, had custody of the child pursuant to default proceedings in North Carolina. Gabino is not seeking further relief against the child's natural mother, Paola Leticia Salas, who has disappeared and is believed to have been deported.

REBECCA L. BURTON
DISTRICT JUDGE
FAMILY DIVISION, DEPT. C
LAS VEGAS, NEVADA 89101-2408

Statistically closed: USJR-FAM-Set/Withdrawn with Judicial Conf/Hearing Close Case (UWJC)

NRCP 54(d) states:

(d) ***Attorney Fees.***
(1) ***Reserved.***
(2) ***Attorney Fees.***
(A) ***Claim to Be by Motion.*** *A claim for attorney fees must be made by motion. The court may decide a postjudgment motion for attorney fees despite the existence of a pending appeal from the underlying final judgment.*

COURT FINDS that Gabino's request for attorney fees was brought before the Court by his *Motion for Attorney's Fees and Costs Pursuant to NRCP 54* filed on August 17, 2020.

(B) ***Timing and Contents of the Motion.*** *Unless a statute or a court order provides otherwise, the motion must:*
(i) be filed no later than 21 days after written notice of entry of judgment is served;

COURT FINDS that the *Motion* is timely filed because the written order from the August 6, 2020 hearing has not yet been entered.

(ii) specify the judgment and the statute, rule, or other grounds entitling the movant to the award;

COURT FINDS that Gabino's request for fees and costs pertains to orders the Court made at a hearing held August 6, 2020 on Gabino's request for sole legal custody and sole physical custody of his minor child which was successful. Gabino was directed to file a *General Financial Disclosure Form* and a *Memorandum of Fees and Costs* by August 20,

REBECCA L. BURTON
DISTRICT JUDGE
FAMILY DIVISION, DEPT. G
LAS VEGAS, NEVADA 89101-2408

2020. Plaintiff were allowed until September 3, 2020 to file a *Reply*. Gabino is seeking attorney fees pursuant to NRS 18.010 and EDCR 7.60(b).

NRS 18.010(2)(b) states:

> *In addition to the cases where an allowance is authorized by specific statute, the court may make an allowance of attorney's fees to a prevailing party:*
>
> . . . .
>
> *(b) Without regard to the recovery sought, when the court finds that the claim, counterclaim, cross-claim or third-party complaint or defense of the opposing party was brought or maintained without reasonable ground or to harass the prevailing party. The court shall liberally construe the provisions of this paragraph in favor of awarding attorney's fees in all appropriate situations. It is the intent of the Legislature that the court award attorney's fees pursuant to this paragraph and impose sanctions pursuant to Rule 11 of the Nevada Rules of Civil Procedure in all appropriate situations to punish for and deter frivolous or vexatious claims and defenses because such claims and defenses overburden limited judicial resources, hinder the timely resolution of meritorious claims and increase the costs of engaging in business and providing professional services to the public.*

COURT FINDS that under NRS 18.010(2)(b), Gabino must do more than prevail. There must be evidence supporting a finding that the claim or defense was unreasonable or brought to harass, but the plaintiffs did not bring a claim or defense. In a published decision, the Court of Appeals explains:

> NRS 18.010(2)(b) targets only how the litigation itself is conducted, not what the parties did before the litigation commenced. [Defendant] may or may not have had a good

REBECCA L. BURTON
DISTRICT JUDGE
FRANK SALAZAR, DEPT. 6
LAS VEGAS, NV 89101-2408

> reason to keep [Plaintiff's] property; either way, NRS 18.010(2)(b) permits an award of fees only if [Defendant] "brought or maintained" a defense during the litigation itself that was either groundless or intended to harass.

In re 12067 Oakland Hills, Las Vegas, Nevada 89141, 134 Nev. 799, 803, 435 P.3d 672 (2019) (award of attorney fees reversed because defendant conceded to the relief requested in the motion brought by plaintiff). Without a claim or defense, the Court cannot make findings concerning the nature of the non-existent claim or defense without which the Court is unable to award attorney fees under NRS 18.010(2)(b).

EDCR 7.60(b) states:

> *The court may, after notice and an opportunity to be heard, impose upon an attorney or a party any and all sanctions which may, under the facts of the case, be reasonable, including the imposition of fines, costs or attorney's fees when an attorney or a party without just cause:*
> *(1) Presents to the court a motion or an opposition to a motion which is obviously frivolous, unnecessary or unwarranted.*
> *(2) Fails to prepare for a presentation.*
> *(3) So multiplies the proceedings in a case as to increase costs unreasonably and vexatiously.*
> *(4) Fails or refuses to comply with these rules.*
> *(5) Fails or refuses to comply with any order of a judge of the court.*

COURT FINDS that although the plaintiffs were served with this action through which the natural father claimed custody of his child held by

REBECCA L. BURTON
EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION, DEPT. C
LAS VEGAS, NV 89101-2408

the plaintiffs through a default custody order, the plaintiffs failed to respond forcing Gabino to bring these proceedings. Accordingly, the Court finds that the plaintiffs in bad faith multiplied the proceedings to increase costs unreasonably and vexatiously to Gabino.

(iii) state the amount sought or provide a fair estimate of it;

COURT FINDS that Gabino is seeking the sum of $3,305.00 in attorney fees and costs.

(iv) disclose, if the court so orders, the nonprivileged financial terms of any agreement about fees for the services for which the claim is made; and

COURT FINDS that Gabino was not required to provide his contract with Attorney Kyle King, but Gabino did provide the contract to the Court.

(v) be supported by:

(a) counsel's affidavit swearing that the fees were actually and necessarily incurred and were reasonable;

COURT FINDS that Gabino's *Motion for Attorney's Fees and Costs Pursuant to NRCP 54* was accompanied by the *Affidavit of Kyle A. King, Esq.* swearing that the fees and costs were actually and necessarily incurred and were reasonable.

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REBECCA L. BURTON
DISTRICT JUDGE
FAMILY DIVISION, DEPT. C
LAS VEGAS, NV 89101-2408

(b) documentation concerning the amount of fees claimed; and

COURT FINDS that Gabino's *Motion for Attorney's Fees and Costs Pursuant to NRCP 54* was accompanied by a breakdown of the services in support of the fees and costs claimed.

(c) points and authorities addressing the appropriate factors to be considered by the court in deciding the motion.

COURT FINDS that Gabino supported his request with the factors required by *Brunzell v. Golden Gate National Bank*, 85 Nev. 345, 349, 455 P.2d 31 (1969) to include the qualities of the advocate, the character and difficulty of the work performed, the work actually performed by the attorney, and the result obtained, together with billing breakdown, and those factors and billing breakdown were reviewed and considered by this Court. In this regard, the Court finds that the hourly rate charged by Attorney Kyle King is justified by his education, expertise, and skill. The work was somewhat complex due to the service and jurisdictional issues and included filing the petition to register the foreign judgment, two motions, and three separate appearances before the Court followed by drafting orders. The result was successful. Attorney King charged a flat

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REBECCA L. BURTON
DISTRICT JUDGE
FAMILY DIVISION, DEPT. L
LAS VEGAS, NV 89101-2408

rate of $3,000 for his work plus costs which the Court finds to be reasonable.

> *(C)* ***Extensions of Time.*** *The court may not extend the time for filing the motion after the time has expired.*

COURT FINDS that Gabino did not ask for an extension of time.

> *(D)* ***Exceptions.*** *Rules 54(d)(2)(A) and (B) do not apply to claims for attorney fees as sanctions or when the applicable substantive law requires attorney fees to be proved at trial as an element of damages.*

COURT FINDS that the award of attorney fees is a sanction for the plaintiffs failure to participate in this case. . Accordingly, the particulars required by subsections (A) and (B) are not necessary, but have been met.

Finally, as required by *Miller v. Wilfong,* 121 Nev. 619, 119 P.3d 727 (2005) and *Wright v. Osburn,* 114 Nev. 1367, 970 P.2d 1071 (1998), the Court must consider the parties' respective financial means in making an award of attorney fees in a family law matter.

COURT FINDS that pursuant to the *General Financial Disclosure Form* filed by Gabino on September 1, 2020, his gross monthly income is $3,466. The Court does not have a *General Financial Disclosure Form* from the plaintiffs who have not participated in these proceedings.

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REBECCA L. BURTON
DISTRICT JUDGE
FAMILY DIVISION, DEPT. J
LAS VEGAS, NEVADA 89155

Accordingly, the Court assumes that the plaintiffs will be able to pay the attorney fees awarded herein.

NOW, THEREFORE, IT IS HEREBY ORDERED that Gabino is awarded the sum of $3,305.00 as and for attorney's fees and costs against the plaintiff, which sum is hereby reduced to judgment collectable by any and all legal means.

Dated this 19th day of October, 2020

97A DC1 AF98 B0C1
Rebecca L. Burton
District Court Judge

REBECCA L. BURTON
DISTRICT JUDGE
FAMILY DIVISION, ROOM C
LAS VEGAS, NV 89101-2408

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CLERK OF THE COURT

ORDR
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE A. KING, ESQ.
Nevada Bar No. 14557
ROSENBLUM LAW OFFICES
7375 S Pecos Rd., Ste 101
Las Vegas, NV 89120
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **PAOLA LETICIA SALAS AND GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C**

August 6, 2020

ORDER FROM ~~AUGUST 26, 2020~~ HEARING

This matter of the parties' having come before the this Court for a Hearing for MOTION TO MODIFY CHILD CUSTODY GRANTING DEFENDANT SOLE LEGAL, SOLE PHYSICAL CUSTODY, CHILD SUPPORT AND FOR ATTORNEY FEES AND COSTS, on the 26th day of August, 2020, with Defendant Gabino Guardado, present and represented by Attorney Kyle A. King Esq., of Rosenblum Law Offices, and Plaintiff's Tyler Edenfield and Ana M. Salas, in proper person and not present and Paola Leticia Salas, in proper person and not present.

Statistically closed: USJR-FAM-Set/Withdrawn with Judicial Conf/Hearing Close Case (UWJC)

THE COURT HEREBY FINDS that the Court has Subject Matter Jurisdiction over this matter as the out of state child custody determination made in North Carolina was properly domesticated and registered in Nevada by Order of this Court. Video Cite 10:51:04-10:51:17.

THE COURT FURTHER FINDS that this Court has personal jurisdiction over the parties Ana Salas, Tyler Edenfield and Gabino Guardado but lacks personal jurisdiction over Paola Letica Salas. Video Cite 10:51:18-10:52:04.

THE COURT FURTHER FINDS that Counsel for Gabino Guardado conducted a diligence search as to Paola Leticia Salas. The affidavit of Due Diligence was filed on May 15, 2020, outlining that she was not located in North Carolina and service was attempted at all addresses discovered. It is believed she was deported back to Mexico.

THE COURT FURTHER FINDS that following the Due Diligence search by Attorney Kyle A. King's office, Paola Leticia Salas was served via publication with affidavits of publication being filed on May 21, 2020.

THE COURT FURTHER FINDS that this Court has child custody subject matter jurisdiction over the subject minor in this instant case. The evidence is clear, that no parties currently reside in the state of North Carolina. Moreover, Defendant has personally witnessed the subject minor in the home of Ana Salas, in the State of Nevada, County of Clark, multiple times throughout the year 2019. Defendant witnessed the child in March of 2019, April of 2019 and again in December of 2019, after Ana Salas abandoned the child with a relative and left the state. As such, the Court is persuaded that the child has lived in the state of Nevada for at least six months prior to the filing of Defendant's Motion in January of 2020. Video cite 10:52:04-10:53:20.

THE COURT FURTHER FINDS that Defendant did not know and was not informed of the North Carolina proceedings or subsequent Order until December of 2019. Video cite 10:55:42-10:56:47.

THE COURT FURTHER FINDS that the child custody determination issued by North Carolina was entered by Default, against Defendant. Video cite 10:57:40-10:57:44.

THE COURT FURTHER FINDS that Defendant, Gabino Guardado has persuaded the Court that here has been a substantial change in circumstances under *Ellis v. Carucci, 123 Nev. 145, 161 P. 3d 239 (2007)* and that it is in the best interest of the subject minor that Defendant have his custody restored. Video Cite 10:53:21-10:54:23.

THE COURT FURTHER FINDS that Defendant has provided convincing evidence that the circumstance, under which the North Carolina Order was issued, to include homelessness, and drug abuse, did not and do not apply to him and that they only ever applied to the subject minor's Natural Mother Paola Laticia Salas. Video cite 10:55:06-10:55:42.

THE COURT FURTHER FINDS that the material change in circumstance in this instant matter is, Ana Salas's abandonment of the subject minor, which resulted in the child being returned to Defendant, Gabino Guardado's care by child protective services, only to be subsequently removed again by Ana Salas in December 2019. Video cite 10:54:23-10:54:54.

THE COURT FURTHER FINDS that Ana Salas is not properly caring for the subject minor. This concern further provides for a change in circumstance in this matter, due to her failure to properly care for the subject minor. Video Cite 10:56:47-10:57:46 and 10:54:55-10:55:05.

THE COURT FURTHER FINDS that the evidence is clear that Ana Salas has not properly cared for the subject minor by disciplining the child for simply being sick and failing to provide proper medical treatment as needed. Video cite 10:58:12-10:58:49.

THE COURT FURTHER FINDS that Ana Salas has failed to have the subject minor registered for schooling. Video cite 10:58:12-10:58:49.

THE COURT FURTHER FINDS that Ana Salas, based on the evidence present and testimony heard, has neglected the minor child by way of continuously abandoning her with third party, non-custodial relatives, to engage in her career as an escort who are also not caring for her needs. Video cite 11:02:40-11:03:11.

THE COURT FURTHER FINDS that Defendant, Gabino Guardado has lived in the State of Nevada, County of Clark, City of Las Vegas, since at least March of 2016. Video cite 10:55:42-10:56:47.

THE COURT FURTHER FINDS that Defendant, Gabino Guardado currently earns approximately $1,350.00 per week or $5,850.00 per month which is adequate to provide for the child's needs. Video cite 10:55:42-10:56:47.

THE COURT FURTHER FINDS that Defendant Gabino Guardado s' significant other currently earns $3,900.00 per month. Video cite 10:55:42-10:56:47.

THE COURT FURTHER FINDS that Defendant, Gabino Guardado, currently rents a three-bedroom, three-bathroom residence, which is only inhabited by Defendant and his significant other. Moreover, Defendant's residence allows for the subject minor to have a room of her own. Video cite 10:55:42-10:56:47.

THE COURT FURTHER FINDS that Defendant, Gabino Guardado, has health insurance for himself and the Court is persuaded that he will obtain health insurance for the subject minor, once returned to his care. Video cite 10:57:46-10:58:11.

THE COURT FURTHER FINDS that Defendant Gabino Guardado, upon child protective services placing the subject minor in his care, took the subject minor for medical treatment related to the ongoing infestation of lice the subject minor presented with in December 2019. Video cite 10:58:53-10:59:02.

THE COURT FURTHER FINDS that the wishes of the child do not carry any weight in this matter. Video cite 10:59:03-11:00:09.

THE COURT FURTHER FINDS that Natural Mother nominated Ana Salas by consenting to a guardianship prior to the issuance of the North Carolina Orders. It appears while Natural mother may have been experiencing difficulties in her own life, Defendant was not and Natural Mother gave the child over to Ana Salas, instead of Defendant and without Defendant's consent. Video cite 10:59:03-11:00:09.

THE COURT FURTHER FINDS that Ana Salas is not likely to allow frequent association between the subject minor and Defendant, nor is she likely to facilitate contact between the subject minor and Defendant, as evidenced by her abandoning the subject minor with her relatives rather than Defendant, despite him being fit and proper to care for the child. Video cite 11:00:09-11:00:41.

THE COURT FURTHER FINDS that Ana Salas and Defendant are not able to cooperate to meet the needs of the child, as Ana Salas, refuses to allow Defendant to participate in the subject minor's life. Video cite 11:01:15-11:01:45

THE COURT FURTHER FINDS that the level of conflict is currently low, as Ana Salas refuses to communicate or interact with Defendant. Video cite 11:00:41-11:01:15.

THE COURT FURTHER FINDS that no evidence was presented to indicate that any party in this action is mentally or physically unable to care for the subject minor. Video cite 11:01:45-11:01:54.

THE COURT FURTHER FINDS that the evidence and testimony presented indicated that Ana Salas was not properly caring for the subject minor's medical needs, as the child had an untreated lice infection in December of 2019. Video cite 11:01:54-11:02:11.

THE COURT FURTHER FINDS that the subject minor was unhappy in the care of Ana Salas as evidenced by the subject minor's resistance to her removal from Defendant in December 2019. Defendant further testified that he has a loving relationship with the subject minor. Video cite 11:02:11-11:02:38.

THE COURT FURTHER FINDS that no evidence was presented to indicate the subject minor having any siblings. Video cite 11:02:38-11:02:40.

THE COURT FURTHER FINDS that Ana Salas, based on the evidence present and testimony heard, has neglected the minor child by way of continuously abandoning her with third parties who are also not caring for her needs. Video cite 11:02:40-11:03:11.

THE COURT FURTHER FINDS that there has been no evidence of Domestic Violence presented to the court for consideration. Video cite 11:03:11-11:03:55.

THE COURT FURTHER FINDS that due to the North Carolina child custody determination, granting Ana Salas Sole Legal and Sole Physical Custody of the subject minor there has been no act of abduction. Video cite 11:03:11-11:03:55.

Now therefore and based on the findings above the court hereby orders as follows:

THE COURT HEREBY ORDERS that a change in the custodial Order is proper in this matter.

THE COURT FURTHER ORDERS that based on the findings above and the analysis of the best interest factors therein, it is in the subject minor's best interest to return to the care of Defendant.

THE COURT FURTHER ORDERS that Defendant, Gabino Guardado, shall be awarded Sole Legal Custody of the subject minor.

THE COURT FURTHER ORDERS that Defendant, Gabino Guardado, shall be granted Sole Physical custody of the subject minor.

THE COURT FURTHER ORDERS that Defendant, Gabino Guardado, must file an updated General Financial Disclosure Form with the Court.

THE COURT FURTHER ORDERS that Attorney King shall have until August 20, 2020, to file a memorandum of fees and cost with the *Brunzell* factors included with the Court. Attorney King shall provide a copy of the Memorandum of Fees and Cost to Plaintiff's and Plaintiff's shall have until September 3, 2020 to file a response. Should Plaintiff's respond they must each complete a General Financial Disclosure Form and attach their last three pay stubs.

THE COURT FURTHER ORDERS that Defendant's Motion for Attorney's Fees and Costs is Continued to September 9, 2020 on the Court's in chambers calendar.

THE COURT FURTHER ORDERS that Attorney King shall have until September 4, 2020 to submit the Order from the August 26, 2020 hearing.

THE COURT FURTHER ORDERS that the case shall be closed upon the entry of the Order regarding attorney's fees.

STATUTORY PROVISIONS REGARDING CUSTODY

IT IS HEREBY STIPULATED AND AGREED AND THEREFORE IT IS HEREBY ORDERED that pursuant to the provisions of NRS 125.040, Section 10, subsection 6, as amended, chapter 125A of NRS and NRS 125C.0601 to 125C.0693, the parties are hereby notified of the penalty for violation of the following order: THE ABDUCTION, CONCEALMENT OR DETENTION OF A CHILD IN VIOLATION OF THIS ORDER IS PUNISHABLE AS A CATEGORY "D" FELONY AS PROVIDED IN NRS 193.130. NRS 200.359 provides that every person having a limited right to custody of a child or any parent having no right of custody to a child who willfully detain, conceals or removes the child from a parent, guardian or other person having lawful custody or a right of visitation of the child in violation of

an order of this court, or removes the child from the jurisdiction of the court without the consent of either the court or all persons who have the right to custody or visitation is subject to being punished for a category "D" felony as provided in NRS 193.130.

IT IS HEREBY STIPULATED AND AGREED AND THEREFORE IT IS HEREBY ORDERED that the Parties acknowledge the consent requirement of NRS 125C.006, as amended, to wit: If primary physical custody has been established pursuant to an order, judgment or decree of a court and the custodial parent intends to relocate his or her residence to a place outside of this State or to a place within this State that is at such a distance that would substantially impair the ability of the other parent to maintain a meaningful relationship with the child, and the custodial parent desires to take the child with him or her, the custodial parent shall, before relocating attempt to obtain the written consent of the noncustodial parent to relocate the child from this State and if the noncustodial parent refuses to give that consent, the parent planning the relocation shall, before he or she leaves the State with the child, petition the court for permission to relocate the child. The court may award reasonable attorney's fees and costs to the custodial parent if the court finds that the noncustodial parent refused to consent to the custodial parent's relocation with the child without having reasonable grounds for such refusal; or for the purpose of harassing the custodial parent. A parent who relocates with a child pursuant to this section without the written consent of the noncustodial parent or the permission of the court is subject to the provisions of NRS 200.359.

IT IS HEREBY STIPULATED AND AGREED AND THEREFORE IT IS HEREBY ORDERED that the Parties acknowledge the provisions of NRS §125C.0065 which states:

1. If joint physical custody has been established pursuant to an order, judgment or decree of a court and one parent intends to relocate his or

her residence to a place outside of this State or to a place within this State that is at such a distance that would substantially impair the ability of the other parent to maintain a meaningful relationship with the child, and the relocating parent desires to take the child with him or her, the relocating parent shall, before relocating:

(a) Attempt to obtain the written consent of the non-relocating parent to relocate with the child; and

(b) If the non-relocating parent refuses to give that consent, petition the court for primary physical custody for the purpose of relocating.

2. The court may award reasonable attorney's fees and costs to the relocating parent if the court finds that the non-relocating parent refused to consent to the relocating parent's relocation with the child:

(a) Without having reasonable grounds for such refusal; or
(b) For the purpose of harassing the relocating parent.

3. A parent who relocates with a child pursuant to this section before the court enters an order granting the parent primary physical custody of the child and permission to relocate with the child is subject to the provisions of NRS §200.359.

IT IS HEREBY STIPULATED AND AGREED AND THEREFORE IT IS HEREBY ORDERED that the Parties acknowledge that they are subject to the provisions of NRS. 31A.025 through 31A.190 and NRS 125.450(2) which deal with the recovery of payments for the support of minor Child by the welfare division of the Department of Human Resources or the District Attorney; and, that his/her employer can be ordered to withhold his/her wages or commissions for delinquent payments of child support.

IT IS HEREBY STIPULATED AND AGREED AND THEREFORE IT IS HEREBY ORDERED that if either Party is obligated to pay support, the Parties are hereby notified that their obligation may subject them to the child support enforcement collection provisions contained in Chapters 31A, 125.450(2) and 425 of the Nevada Revised Statues.

IT IS HEREBY STIPULATED AND AGREED AND THEREFORE IT IS HEREBY ORDERED that the State of Nevada continues to be the home state of the minor child pursuant to NRS 125C.010. The Parties understand and acknowledge that, pursuant to NRS 125.040, Section 10, as amended, and subject to the provisions of NRS 125A and NRS 125C.0601 to 125C.0693, the terms of the Hague Convention of October 25, 1980, adopted by the Fourteenth Session of the Hague Conference on Private International Law, applies if a parent abducts or wrongfully retains a child in a foreign country. NRS §125C.0045 subsections 7 and 8 specifically provide as follows:

7. In addition to the language required pursuant to subsection 6, all orders authorized by this section must specify that the terms of the Hague Convention of October 25, 1980, adopted by the 14th Session of the Hague Conference on Private International Law, apply if a parent abducts or wrongfully retains a child in a foreign country.

8. If a parent of the child lives in a foreign country or has significant commitments in a foreign country:

(a) The parties may agree, and the court shall include in the order for custody of the child, that the United States is the country of habitual residence of the child for the purposes of applying the terms of the Hague Convention as set forth in subsection 7.

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(b) Upon motion of one of the parties, the court may order the parent to post a bond if the court determines that the parent poses an imminent risk of wrongfully removing or concealing the child outside the country of habitual residence. The bond must be in an amount determined by the court and may be used only to pay for the cost of locating the child and returning him to his habitual residence if the child is wrongfully removed from or concealed outside the country of habitual residence. The fact that a parent has significant commitments in a foreign country does not create a presumption that the parent poses an imminent risk of wrongfully removing or concealing the child.

Dated this ____day of _____ 2020 by:

Dated this 21st day of December, 2020

Rebecca L Burton

DISTRICT COURT JUDGE
DFB 40B 6F18 2EFF
Rebecca L. Burton
District Court Judge

Submitted by:
ROSENBLUM LAW OFFICES

MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
staff@rosenblumlawlv.com
Attorney for Defendant

CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

Ana Maria Salas, Tyler Kyle Edenfield, Plaintiff. vs. Gabino Guardado, Defendant.	CASE NO: D-20-602873-F DEPT. NO. Department C

AUTOMATED CERTIFICATE OF SERVICE

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Order was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

Service Date: 12/21/2020

Rosenblum Law Offices	staff@rosenblumlawlv.com
Gabino Guardado	sugueryr@yahoo.com

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12/22/2020 12:08 PM
Steven D. Grierson
CLERK OF THE COURT

NEOJ
ROSENBLUM LAW OFFICES
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C**

NOTICE OF ENTRY OF ORDER

Please take notice that an Order, attached hereto, was entered in the above-entitled action on the **Monday, December 21, 2020.**

///

///

///

Dated this **Tuesday, December 22, 2020**

///

Submitted by:
ROSENBLUM LAW OFFICES

MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

NEOJ
ROSENBLUM LAW OFFICES
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C**

NOTICE OF ENTRY OF ORDER

Please take notice that an Order, attached hereto, was entered in the above-entitled action on the **Monday, December 21, 2020.**

///

///

///

Dated this **Tuesday, December 22, 2020**

///

Submitted by:
ROSENBLUM LAW OFFICES

MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

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12/21/2020 2:46 PM
CLERK OF THE COURT

ORDR
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE A. KING, ESQ.
Nevada Bar No. 14557
ROSENBLUM LAW OFFICES
7375 S Pecos Rd., Ste 101
Las Vegas, NV 89120
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **PAOLA LETICIA SALAS AND GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C**

August 6, 2020

ORDER FROM ~~AUGUST 26, 2020~~ HEARING

This matter of the parties' having come before the this Court for a Hearing for MOTION TO MODIFY CHILD CUSTODY GRANTING DEFENDANT SOLE LEGAL, SOLE PHYSICAL CUSTODY, CHILD SUPPORT AND FOR ATTORNEY FEES AND COSTS, on the 26th day of August, 2020, with Defendant Gabino Guardado, present and represented by Attorney Kyle A. King Esq., of Rosenblum Law Offices, and Plaintiff's Tyler Edenfield and Ana M. Salas, in proper person and not present and Paola Leticia Salas, in proper person and not present.

THE COURT HEREBY FINDS that the Court has Subject Matter Jurisdiction over this matter as the out of state child custody determination made in North Carolina was properly domesticated and registered in Nevada by Order of this Court. Video Cite 10:51:04-10:51:17.

THE COURT FURTHER FINDS that this Court has personal jurisdiction over the parties Ana Salas, Tyler Edenfield and Gabino Guardado but lacks personal jurisdiction over Paola Letica Salas. Video Cite 10:51:18-10:52:04.

THE COURT FURTHER FINDS that Counsel for Gabino Guardado conducted a diligence search as to Paola Leticia Salas. The affidavit of Due Diligence was filed on May 15, 2020, outlining that she was not located in North Carolina and service was attempted at all addresses discovered. It is believed she was deported back to Mexico.

THE COURT FURTHER FINDS that following the Due Diligence search by Attorney Kyle A. King's office, Paola Leticia Salas was served via publication with affidavits of publication being filed on May 21, 2020.

THE COURT FURTHER FINDS that this Court has child custody subject matter jurisdiction over the subject minor in this instant case. The evidence is clear, that no parties currently reside in the state of North Carolina. Moreover, Defendant has personally witnessed the subject minor in the home of Ana Salas, in the State of Nevada, County of Clark, multiple times throughout the year 2019. Defendant witnessed the child in March of 2019, April of 2019 and again in December of 2019, after Ana Salas abandoned the child with a relative and left the state. As such, the Court is persuaded that the child has lived in the state of Nevada for at least six months prior to the filing of Defendant's Motion in January of 2020. Video cite 10:52:04-10:53:20.

THE COURT FURTHER FINDS that Defendant did not know and was not informed of the North Carolina proceedings or subsequent Order until December of 2019. Video cite 10:55:42-10:56:47.

THE COURT FURTHER FINDS that the child custody determination issued by North Carolina was entered by Default, against Defendant. Video cite 10:57:40-10:57:44.

THE COURT FURTHER FINDS that Defendant, Gabino Guardado has persuaded the Court that here has been a substantial change in circumstances under *Ellis v. Carucci, 123 Nev. 145, 161 P. 3d 239 (2007)* and that it is in the best interest of the subject minor that Defendant have his custody restored. Video Cite 10:53:21-10:54:23.

THE COURT FURTHER FINDS that Defendant has provided convincing evidence that the circumstance, under which the North Carolina Order was issued, to include homelessness, and drug abuse, did not and do not apply to him and that they only ever applied to the subject minor's Natural Mother Paola Laticia Salas. Video cite 10:55:06-10:55:42.

THE COURT FURTHER FINDS that the material change in circumstance in this instant matter is, Ana Salas's abandonment of the subject minor, which resulted in the child being returned to Defendant, Gabino Guardado's care by child protective services, only to be subsequently removed again by Ana Salas in December 2019. Video cite 10:54:23-10:54:54.

THE COURT FURTHER FINDS that Ana Salas is not properly caring for the subject minor. This concern further provides for a change in circumstance in this matter, due to her failure to properly care for the subject minor. Video Cite 10:56:47-10:57:46 and 10:54:55-10:55:05.

THE COURT FURTHER FINDS that the evidence is clear that Ana Salas has not properly cared for the subject minor by disciplining the child for simply being sick and failing to provide proper medical treatment as needed. Video cite 10:58:12-10:58:49.

THE COURT FURTHER FINDS that Ana Salas has failed to have the subject minor registered for schooling. Video cite 10:58:12-10:58:49.

THE COURT FURTHER FINDS that Ana Salas, based on the evidence present and testimony heard, has neglected the minor child by way of continuously abandoning her with third party, non-custodial relatives, to engage in her career as an escort who are also not caring for her needs. Video cite 11:02:40-11:03:11.

THE COURT FURTHER FINDS that Defendant, Gabino Guardado has lived in the State of Nevada, County of Clark, City of Las Vegas, since at least March of 2016. Video cite 10:55:42-10:56:47.

THE COURT FURTHER FINDS that Defendant, Gabino Guardado currently earns approximately $1,350.00 per week or $5,850.00 per month which is adequate to provide for the child's needs. Video cite 10:55:42-10:56:47.

THE COURT FURTHER FINDS that Defendant Gabino Guardado s' significant other currently earns $3,900.00 per month. Video cite 10:55:42-10:56:47.

THE COURT FURTHER FINDS that Defendant, Gabino Guardado, currently rents a three-bedroom, three-bathroom residence, which is only inhabited by Defendant and his significant other. Moreover, Defendant's residence allows for the subject minor to have a room of her own. Video cite 10:55:42-10:56:47.

THE COURT FURTHER FINDS that Defendant, Gabino Guardado, has health insurance for himself and the Court is persuaded that he will obtain health insurance for the subject minor, once returned to his care. Video cite 10:57:46-10:58:11.

THE COURT FURTHER FINDS that Defendant Gabino Guardado, upon child protective services placing the subject minor in his care, took the subject minor for medical treatment related to the ongoing infestation of lice the subject minor presented with in December 2019. Video cite 10:58:53-10:59:02.

THE COURT FURTHER FINDS that the wishes of the child do not carry any weight in this matter. Video cite 10:59:03-11:00:09.

THE COURT FURTHER FINDS that Natural Mother nominated Ana Salas by consenting to a guardianship prior to the issuance of the North Carolina Orders. It appears while Natural mother may have been experiencing difficulties in her own life, Defendant was not and Natural Mother gave the child over to Ana Salas, instead of Defendant and without Defendant's consent. Video cite 10:59:03-11:00:09.

THE COURT FURTHER FINDS that Ana Salas is not likely to allow frequent association between the subject minor and Defendant, nor is she likely to facilitate contact between the subject minor and Defendant, as evidenced by her abandoning the subject minor with her relatives rather than Defendant, despite him being fit and proper to care for the child. Video cite 11:00:09-11:00:41.

THE COURT FURTHER FINDS that Ana Salas and Defendant are not able to cooperate to meet the needs of the child, as Ana Salas, refuses to allow Defendant to participate in the subject minor's life. Video cite 11:01:15-11:01:45

THE COURT FURTHER FINDS that the level of conflict is currently low, as Ana Salas refuses to communicate or interact with Defendant. Video cite 11:00:41-11:01:15.

THE COURT FURTHER FINDS that no evidence was presented to indicate that any party in this action is mentally or physically unable to care for the subject minor. Video cite 11:01:45-11:01:54.

THE COURT FURTHER FINDS that the evidence and testimony presented indicated that Ana Salas was not properly caring for the subject minor's medical needs, as the child had an untreated lice infection in December of 2019. Video cite 11:01:54-11:02:11.

THE COURT FURTHER FINDS that the subject minor was unhappy in the care of Ana Salas as evidenced by the subject minor's resistance to her removal from Defendant in December 2019. Defendant further testified that he has a loving relationship with the subject minor. Video cite 11:02:11-11:02:38.

THE COURT FURTHER FINDS that no evidence was presented to indicate the subject minor having any siblings. Video cite 11:02:38-11:02:40.

THE COURT FURTHER FINDS that Ana Salas, based on the evidence present and testimony heard, has neglected the minor child by way of continuously abandoning her with third parties who are also not caring for her needs. Video cite 11:02:40-11:03:11.

THE COURT FURTHER FINDS that there has been no evidence of Domestic Violence presented to the court for consideration. Video cite 11:03:11-11:03:55.

THE COURT FURTHER FINDS that due to the North Carolina child custody determination, granting Ana Salas Sole Legal and Sole Physical Custody of the subject minor there has been no act of abduction. Video cite 11:03:11-11:03:55.

Now therefore and based on the findings above the court hereby orders as follows:

THE COURT HEREBY ORDERS that a change in the custodial Order is proper in this matter.

THE COURT FURTHER ORDERS that based on the findings above and the analysis of the best interest factors therein, it is in the subject minor's best interest to return to the care of Defendant.

THE COURT FURTHER ORDERS that Defendant, Gabino Guardado, shall be awarded Sole Legal Custody of the subject minor.

THE COURT FURTHER ORDERS that Defendant, Gabino Guardado, shall be granted Sole Physical custody of the subject minor.

THE COURT FURTHER ORDERS that Defendant, Gabino Guardado, must file an updated General Financial Disclosure Form with the Court.

THE COURT FURTHER ORDERS that Attorney King shall have until August 20, 2020, to file a memorandum of fees and cost with the *Brunzell* factors included with the Court. Attorney King shall provide a copy of the Memorandum of Fees and Cost to Plaintiff's and Plaintiff's shall have until September 3, 2020 to file a response. Should Plaintiff's respond they must each complete a General Financial Disclosure Form and attach their last three pay stubs.

THE COURT FURTHER ORDERS that Defendant's Motion for Attorney's Fees and Costs is Continued to September 9, 2020 on the Court's in chambers calendar.

THE COURT FURTHER ORDERS that Attorney King shall have until September 4, 2020 to submit the Order from the August 26, 2020 hearing.

THE COURT FURTHER ORDERS that the case shall be closed upon the entry of the Order regarding attorney's fees.

STATUTORY PROVISIONS REGARDING CUSTODY

IT IS HEREBY STIPULATED AND AGREED AND THEREFORE IT IS HEREBY ORDERED that pursuant to the provisions of NRS 125.040, Section 10, subsection 6, as amended, chapter 125A of NRS and NRS 125C.0601 to 125C.0693, the parties are hereby notified of the penalty for violation of the following order: THE ABDUCTION, CONCEALMENT OR DETENTION OF A CHILD IN VIOLATION OF THIS ORDER IS PUNISHABLE AS A CATEGORY "D" FELONY AS PROVIDED IN NRS 193.130. NRS 200.359 provides that every person having a limited right to custody of a child or any parent having no right of custody to a child who willfully detain, conceals or removes the child from a parent, guardian or other person having lawful custody or a right of visitation of the child in violation of

an order of this court, or removes the child from the jurisdiction of the court without the consent of either the court or all persons who have the right to custody or visitation is subject to being punished for a category "D" felony as provided in NRS 193.130.

IT IS HEREBY STIPULATED AND AGREED AND THEREFORE IT IS HEREBY ORDERED that the Parties acknowledge the consent requirement of NRS 125C.006, as amended, to wit: If primary physical custody has been established pursuant to an order, judgment or decree of a court and the custodial parent intends to relocate his or her residence to a place outside of this State or to a place within this State that is at such a distance that would substantially impair the ability of the other parent to maintain a meaningful relationship with the child, and the custodial parent desires to take the child with him or her, the custodial parent shall, before relocating attempt to obtain the written consent of the noncustodial parent to relocate the child from this State and if the noncustodial parent refuses to give that consent, the parent planning the relocation shall, before he or she leaves the State with the child, petition the court for permission to relocate the child. The court may award reasonable attorney's fees and costs to the custodial parent if the court finds that the noncustodial parent refused to consent to the custodial parent's relocation with the child without having reasonable grounds for such refusal; or for the purpose of harassing the custodial parent. A parent who relocates with a child pursuant to this section without the written consent of the noncustodial parent or the permission of the court is subject to the provisions of NRS 200.359.

IT IS HEREBY STIPULATED AND AGREED AND THEREFORE IT IS HEREBY ORDERED that the Parties acknowledge the provisions of NRS §125C.0065 which states:

1. If joint physical custody has been established pursuant to an order, judgment or decree of a court and one parent intends to relocate his or

her residence to a place outside of this State or to a place within this State that is at such a distance that would substantially impair the ability of the other parent to maintain a meaningful relationship with the child, and the relocating parent desires to take the child with him or her, the relocating parent shall, before relocating:

(a) Attempt to obtain the written consent of the non-relocating parent to relocate with the child; and

(b) If the non-relocating parent refuses to give that consent, petition the court for primary physical custody for the purpose of relocating.

2. The court may award reasonable attorney's fees and costs to the relocating parent if the court finds that the non-relocating parent refused to consent to the relocating parent's relocation with the child:

(a) Without having reasonable grounds for such refusal; or
(b) For the purpose of harassing the relocating parent.

3. A parent who relocates with a child pursuant to this section before the court enters an order granting the parent primary physical custody of the child and permission to relocate with the child is subject to the provisions of NRS §200.359.

IT IS HEREBY STIPULATED AND AGREED AND THEREFORE IT IS HEREBY ORDERED that the Parties acknowledge that they are subject to the provisions of NRS. 31A.025 through 31A.190 and NRS 125.450(2) which deal with the recovery of payments for the support of minor Child by the welfare division of the Department of Human Resources or the District Attorney; and, that his/her employer can be ordered to withhold his/her wages or commissions for delinquent payments of child support.

IT IS HEREBY STIPULATED AND AGREED AND THEREFORE IT IS HEREBY ORDERED that if either Party is obligated to pay support, the Parties are hereby notified that their obligation may subject them to the child support enforcement collection provisions contained in Chapters 31A, 125.450(2) and 425 of the Nevada Revised Statues.

IT IS HEREBY STIPULATED AND AGREED AND THEREFORE IT IS HEREBY ORDERED that the State of Nevada continues to be the home state of the minor child pursuant to NRS 125C.010. The Parties understand and acknowledge that, pursuant to NRS 125.040, Section 10, as amended, and subject to the provisions of NRS 125A and NRS 125C.0601 to 125C.0693, the terms of the Hague Convention of October 25, 1980, adopted by the Fourteenth Session of the Hague Conference on Private International Law, applies if a parent abducts or wrongfully retains a child in a foreign country. NRS §125C.0045 subsections 7 and 8 specifically provide as follows:

7. In addition to the language required pursuant to subsection 6, all orders authorized by this section must specify that the terms of the Hague Convention of October 25, 1980, adopted by the 14th Session of the Hague Conference on Private International Law, apply if a parent abducts or wrongfully retains a child in a foreign country.

8. If a parent of the child lives in a foreign country or has significant commitments in a foreign country:

(a) The parties may agree, and the court shall include in the order for custody of the child, that the United States is the country of habitual residence of the child for the purposes of applying the terms of the Hague Convention as set forth in subsection 7.

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(b) Upon motion of one of the parties, the court may order the parent to post a bond if the court determines that the parent poses an imminent risk of wrongfully removing or concealing the child outside the country of habitual residence. The bond must be in an amount determined by the court and may be used only to pay for the cost of locating the child and returning him to his habitual residence if the child is wrongfully removed from or concealed outside the country of habitual residence. The fact that a parent has significant commitments in a foreign country does not create a presumption that the parent poses an imminent risk of wrongfully removing or concealing the child.

Dated this ____day of _____ 2020 by:

Dated this 21st day of December, 2020

Rebecca L Burton

DISTRICT COURT JUDGE
DFB 40B 6F18 2EFF
Rebecca L. Burton
District Court Judge

Submitted by:
ROSENBLUM LAW OFFICES

MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
staff@rosenblumlawlv.com
Attorney for Defendant

CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

Ana Maria Salas, Tyler Kyle Edenfield, Plaintiff. vs. Gabino Guardado, Defendant.	CASE NO: D-20-602873-F DEPT. NO. Department C

AUTOMATED CERTIFICATE OF SERVICE

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Order was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

Service Date: 12/21/2020

Rosenblum Law Offices	staff@rosenblumlawlv.com
Gabino Guardado	sugueryr@yahoo.com

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Steven D. Grierson
CLERK OF THE COURT

NOW
ROSENBLUM LAW OFFICES
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C**

NOTICE OF WITHDRAWAL

ROSENBLUM LAW OFFICES was retained by Defenant **GABINO GUARDADO,** in an "unbundled capacity," and now files this Notice Of Withdrawal Of Attorney pursuant to E.D.C.R. 5.209(b). ROSENBLUM LAW OFFICES was retained to provide a limited service and is withdrawing from the case because their service was completed. Please substitute Defendant **GABINO GUARDADO,** as a party in Proper Person.

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Defendant **GABINO GUARDADO,** can be served with notice of further proceedings taken in this case at:

Gabino Guardado
4339 Cartegena Way
Las Vegas, NV 89121
(725) 212-6519
sugueryr@yahoo.com

Dated this **Tuesday, December 22, 2020**

///

Submitted by:
ROSENBLUM LAW OFFICES

MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

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Steven D. Grierson
CLERK OF THE COURT

CSERV
ROSENBLUM LAW OFFICES
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Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
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DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **C**

CERTIFICATE OF SERVICE

I hereby certify that service of the foregoing document:

1. **Notice of Entry of Order**
2. **Notice of Withdrawal**

///

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was made, **Tuesday, December 22, 2020** by:

☐ **E-FILE ELECTRONIC SERVICE**

Pursuant to NEFCR 9(d), by electronic service through the Eighth Judicial District Court's e-Filing System (EFS), addressed to the following registered users:

☐ **ELECTRONIC SERVICE**

☐ Facsimile, addressed to:

☐ E-Mail, addressed to:

☒ **MAIL**

Depositing a copy of the same in the U.S. Mails, Certified, Return Receipt Requested at Las Vegas, Nevada, postage prepaid, addressed to

Ana Salas & Tyler Edenfield
1216 Silver Lake Dr
Las Vegas, NV 89108-1068
Plaintiff's in Proper Person

Gabino Guardado
4339 Cartegena Way
Las Vegas, NV 89121
Defendant in Proper Person

Genesis Rodriguez

An Employee of ROSENBLUM LAW OFFICES

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EXPT
ROSENBLUM LAW OFFICES
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
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Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-**F Dept. No.:X

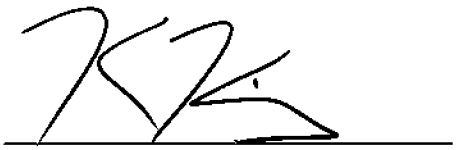
PLAINTIFF'S EX PARTE REQUEST FOR A PICK UP ORDER

COMES NOW Defendant, **GABINO GUARDADO**, by and through his attorneys, of ROSENBLUM LAW OFFICES, and hereby files his Ex Parte Request that the Court grant his request for *EMERGENCY RETURN OF MINOR CHILD, FOR PICK UP ORDER, FOR ORDER DIRECTING LAW ENFORCEMENT TO ASSIST IN RETURNING MINOR CHILD.*

This application is based upon the pleadings and papers on file and the affidavit of Counsel attached to this motion.

DATED this 25th day of January 2021.

ROSENBLUM LAW OFFICES



KYLE A. KING, ESQ.
Nevada Bar # 15343
7375 S Pecos Rd Ste 101
Las Vegas, Nevada 89120
Attorney for Defendant

AFFIDAVIT OF KYLE A. KING, ESQ.

State of Nevada)
) ss:
County of Clark)

1. I am the attorney for the Defendant in the above stated matter.

2. That I have caused the request for a pick-up order to be filed.

3. That the Plaintiff has continues to refuse my client contact with the minor child and continues to attempt to conceal the child's location despite orders being entered otherwise.

4. That the request for an emergency pick-up order addresses the fact that Plaintiff is concealing the minor child, refusing to remain in any form of contact with Defendant since at least December of 2019 and is in violation of the Court Order from the August 6, 2020 hearing.

5. When Defendant attempts to pick up the minor child from Plaintiff or even locate her and the minor child, Plaintiff and her family conceal their location. Plaintiff has yet to produce the child to Defendant or allow any kind of contact.

6. Plaintiff refuses to tell Defendant the whereabouts of the child and will not answer any calls or texts from Defendant.

7. Currently, Defendant is unsure of where the minor child is.

8. Defendant remains deeply concerned about the minor child's safety and well-being, as it has been over a year since Plaintiff has seen the child.

9. That the Plaintiff has failed to participate in the underlying custody matter, and therefore, a Default has been issued against Plaintiff following a prove up hearing in this matter.

10. That absent an order from this Court, Plaintiff will never return the minor children or allow Defendant to see or speak to her.

11. That Defendant has exhausted all avenues for the child's return to no avail.

12. Defendant does not bring this matter on to cause unnecessary delay or in bad faith.

FURTHER AFFIANT SAYETH NAUGHT

KYLE A. KING, ESQ.

Subscribed and sworn to before me
this 25th day of January 2021

Claire C. Munoz
NOTARY PUBLIC

Claire C. Munoz
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 13-11167-1
My Appt. Expires May 17, 2021

Electronically Filed
01/26/2021 4:20 PM
CLERK OF THE COURT

ORDR
ROSENBLUM LAW OFFICES
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **X**

ORDER FOR IMMEDIATE PICK UP AND RETURN OF THE MINOR CHILD

This Court, having received the Ex Parte Request of Defendant seeking the return of Yasline Guardado-Salas, born February 9, 2014, and having reviewed the pleadings and papers on file herein, and this Court having jurisdiction, and good cause appearing makes the following findings and ORDERS:

THE COURT HEREBY FINDS that the custody of Yasline Guardado-Salas, born February 9, 2014, was at issue. That the Court has issued an order

wherein Defendant was awarded sole legal and sole physical custody of the minor child on or about August 6, 2020 with the filed Order reflecting the same being issued on December 21, 2020.

THE COURT FURTHER FINDS that Plaintiff has concealed the child since at least December of 2019 and refused Defendant any contact with the child. That Plaintiff is not communicating with Defendant whatsoever.

THE COURT FURTHER FINDS that Defendant has ceased all communication with Plaintiff and has not allowed any contact with the minor child since December 2019.

THE COURT FURTHER FINDS that it is likely that Plaintiff will continue to withhold the minor child and continue to keep her location concealed.

THE COURT FURTHER FINDS that it is in the child's best interests that she be returned to Defendant pursuant to the Court order issued following the August 6, 2020 hearing.

THEREFORE, IT IS ORDERED that Plaintiff shall immediately turn over physical custody of the minor child Yasline Guardado-Salas, born February 9, 2014, together with her belongings, clothing and personal effects to the care, custody and control of Defendant, GABINO GUARDADO.

IT IS FURTHER ORDERED that any and all law enforcement personnel, of Nevada or any other jurisdiction, including METRO (Las Vegas Metropolitan

Police), be authorized and directed to assist Defendant in obtaining physical custody of the minor child, their belongings, clothing and personal effects, and return the child to the Defendant.

IT IS FURTHER ORDERED that Defendant shall notify this Court as soon as practicable that the child has been returned to his custody and control.

WITHIN 24 HOURS

DATED this _____ day of _____, 2021.

Dated this 26th day of January, 2021

DISTRICT COURT JUDGE

F3A 107 7845 565E
Heidi Almase
District Court Judge

Respectfully submitted:

ROSENBLUM LAW OFFICES
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE A. KING, ESQ.
NEVADA BAR NO. 14557
7375 S Pecos Rd, Ste 101
Las Vegas, NV 89120-3773
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant
in an Unbundled Capacity

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DISTRICT COURT
CLARK COUNTY, NEVADA

Ana Maria Salas, Tyler Kyle Edenfield, Plaintiff. vs. Gabino Guardado, Defendant.	CASE NO: D-20-602873-F DEPT. NO. Department X

AUTOMATED CERTIFICATE OF SERVICE

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Order was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

Service Date: 1/26/2021

Rosenblum Law Offices	staff@rosenblumlawlv.com
Gabino Guardado	sugueryr@yahoo.com

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Steven D. Grierson
CLERK OF THE COURT

EPAP
ROSENBLUM LAW OFFICES
MOLLY ROSENBLUM, ESQ.
Nevada Bar No. 08242
KYLE KING, ESQ.
Nevada Bar No. 14557
376 E Warm Springs Rd., Ste 140
Las Vegas, NV 89119
(702) 433-2889—Phone
(702) 425-9642—Fax
Email: staff@rosenblumlawlv.com
Attorney for Defendant

DISTRICT COURT—FAMILY DIVISION
CLARK COUNTY, NEVADA

ANA M. SALAS AND TYLER EDENFIELD, Plaintiff's, vs. **GABINO GUARDADO,** Defendant.	Case No.: **D-20-602873-F** Dept. No.: **X**

EX PARTE PETITION FOR EXPEDITED ENFORCEMENT OF THIS COURT'S CUSTODY DETERMINATION AND APPLICATION FOR AN _EX PARTE_ WARRANT TO TAKE PHYSICAL CUSTODY OF MINOR CHILD

COMES NOW, pursuant to NRS 125C.005, NRS 125D.200, NRS 125A.495, and applicable legal authority, Petitioner, GABINO GUARDADO ("Petitioner" or "Gabino") by and through his attorney MOLLY ROSENBLUM, ESQ., of ROSENBLUM LAW OFFICES, and hereby requests expedited enforcement of this Court's custody determination filed with this Court and the

PLEADING CONTINUES IN NEXT VOLUME