

Electronically Filed  
05/11/2022

*Heather A. Brown*

CLERK OF THE COURT

Electronically Filed  
May 18 2022 09:52 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

1 CASE NO. D-12-458737-Z

2 DEPT NO. W

3

4

5 IN THE 8<sup>th</sup> JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN

6 AND FOR THE COUNTY OF CLARK

7

8 DUSTIN JAMES BARRAL,

9 PLAINTIFF,

10 -VS-

11 MEGAN ELIZABETH JOHNSON,

12 DEFENDANT,

13

14 NOTICE IS GIVEN that Plaintiff, Dustin Barral, in pro se, hereby  
15 appeals to the Nevada Supreme Court the MOTION AND NOTICE OF  
16 MOTION TO MODIFY CHILD CUSTODY, VISITATION, AND/OR CHILD SUPPORT, as  
17 ruled on/ filed/ entered on the 14<sup>th</sup> day of April, 2022.

18

19 Dated this 27<sup>th</sup> day of April, 2022.

20

21

22

23

24

25

26

27 ///

28 ///

**RECEIVED**  
MAY 03 2022  
CLERK OF THE COURT

*Dustin Barral*

Dustin Barral #1108615  
Lovelock Correctional Center  
1200 Prison Rd  
Lovelock, Nevada 89419  
Plaintiff in Pro Se

CERTIFICATE OF SERVICE

I do certify that I mailed a true and correct copy of the foregoing  
NOTICE OF APPEAL to the below address(es) on this 27<sup>th</sup> day of April  
2022, by placing same in the U.S. Mail.

Megan Johnson  
4478 E. Quail Ave  
LV, NV 89120

DBL

Dustin Barral #1108615

LCC

1200 Prison Rd

Lovelock, NV 89419

Plaintiff in Pro Se

AFFIRMATION PURSUANT TO NRS 239B.030

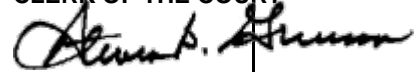
The undersigned does hereby affirm that the preceding NOTICE OF  
APPEAL filed in Family District Court Case No. D-12-458737-2 does  
not contain the social security number of any person.

Dated this 27<sup>th</sup> day of April, 2022.

DBL

Dustin Barral

Plaintiff in Pro Se



1 ASTA

2  
3  
4  
5  
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**  
7 **STATE OF NEVADA IN AND FOR**  
8 **THE COUNTY OF CLARK**  
9

10 In the Matter of the Joint Petition for Divorce of:

11 MEGAN ELIZABETH BARRAL nka MEGAN  
12 ELIZABETH HAMMONDS and DUSTIN JAMES  
13 BARRAL,

14 Petitioner(s)

Case No: D-12-458737-Z

Dept No: W

15  
16 **CASE APPEAL STATEMENT**

17 1. Appellant(s): Dustin Barral

18 2. Judge: Stacy M. Rocheleau

19 3. Appellant(s): Dustin Barral

20 Counsel:

21 Dustin Barral #1108615  
22 1200 Prison Rd.  
23 Lovelock, NV 89419

24 4. Respondent (s): Megan Elizabeth Barral nka Megan Elizabeth Hammonds

25 Counsel:

26 Megan Johnson  
27 4478 E. Quail Ave.  
28 Las Vegas, NV 89120

5. Appellant(s)'s Attorney Licensed in Nevada: N/A

1                   Permission Granted: N/A

2                   Respondent(s)'s Attorney Licensed in Nevada: N/A  
3                   Permission Granted: N/A

4                   6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No

5                   7. Appellant Represented by Appointed Counsel On Appeal: N/A

6                   8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A

7                   Appellant Filed Application to Proceed in Forma Pauperis: No  
8                   Date Application(s) filed: N/A

9                   9. Date Commenced in District Court: February 9, 2012

10                  10. Brief Description of the Nature of the Action: DOMESTIC - Marriage Dissolution

11                  Type of Judgment or Order Being Appealed: Judgment

12                  11. Previous Appeal: No

13                  Supreme Court Docket Number(s): N/A

14                  12. Case involves Child Custody and/or Visitation: Custody  
15                  Appeal involves Child Custody and/or Visitation: Custody

16                  13. Possibility of Settlement: Unknown

17                               Dated This 13 day of May 2022.

18   Steven D. Grierson, Clerk of the Court








19  
20   /s/ Heather Ungermann  
21   Heather Ungermann, Deputy Clerk  
22   200 Lewis Ave  
23   PO Box 551601  
24   Las Vegas, Nevada 89155-1601  
25   (702) 671-0512

26  
27                   cc: Dustin Barral  
28

**CASE SUMMARY****CASE NO. D-12-458737-Z****In the Matter of the Joint Petition for Divorce of:  
Megan Elizabeth Barral and Dustin James Barral**§  
§  
§  
§Location: **Department W**  
Judicial Officer: **Rocheleau, Stacy M.**  
Filed on: **02/09/2012**  
Case Number History:**CASE INFORMATION****Statistical Closures**04/29/2022 Settled/Withdrawn Without Judicial Conference or Hearing  
03/29/2012 Decision without Trial / HearingCase Type: **Divorce - Joint Petition**Subtype: **Joint Petition Subject Minor(s)**Case  
Status: **04/29/2022 Closed****DATE****CASE ASSIGNMENT****Current Case Assignment**Case Number D-12-458737-Z  
Court Department W  
Date Assigned 01/04/2021  
Judicial Officer Rocheleau, Stacy M.**PARTY INFORMATION**
















<b>Petitioner</b>	<b>Barral, Dustin James</b>	<b>Pro Se</b> 702-556-9316(H)
	<b>Barral, Megan Elizabeth</b>	<b>Pro Se</b> 702-748-2641(H)
<b>Subject Minor</b>	<b>Barral, Joshua</b>	
	<b>Barral, Levi</b>	

**DATE****EVENTS & ORDERS OF THE COURT****EVENTS**

05/13/2022	 Case Appeal Statement <i>Case Appeal Statement</i>
05/11/2022	 Notice of Appeal Filed By: Petitioner Barral, Dustin James <i>[21] Notice of Appeal</i>
04/29/2022	 Domestic Notice to Statistically Close Case <i>[20] Domestic Notice to Statistically Close Case</i>
04/18/2022	 Notice of Entry of Order <i>[19] Notice of Entry of Order from Minute Order</i>
04/14/2022	 Order <i>[18] Order from Minute Order</i>
04/13/2022	 Response <i>[17] Response To Reply to Opposition to Motion and Notice of Motion To Modify Child Custody, Visitation and/or Child Support</i>
04/01/2022	 Reply Filed By: Petitioner Barral, Megan Elizabeth <i>[16] Reply to Response to Opposition to Motion and Notice of Motion to Modify Child Custody, Visitation, and/or Child Support</i>

# CASE SUMMARY


CASE NO. D-12-458737-Z

03/29/2022	 Response Filed By: Petitioner Barral, Dustin James <i>[15] Response to Opposition to Motion and Notice of Motin to Modify Child Custody, Visitation and/or Child Support</i>
03/15/2022	 Notice of Hearing <i>[14] Notice of Hearing</i>
03/14/2022	 Financial Disclosure Form Filed by: Petitioner Barral, Megan Elizabeth <i>[13] fdf</i>
03/14/2022	 Family Court Motion Opposition Fee Information Sheet Filed by: Petitioner Barral, Megan Elizabeth <i>[12] Motion/Opposition Fee Information Sheet</i>
03/14/2022	 Opposition Filed By: Petitioner Barral, Megan Elizabeth <i>[11] Opposition to Motion to Modify</i>
03/14/2022	 Financial Disclosure Form Filed by: Petitioner Barral, Dustin James <i>[10] General Financial Disclosure Form</i>
03/14/2022	 Motion Filed By: Petitioner Barral, Dustin James <i>[9] Motion to Modify Child Custody, Visitation and Child Support</i>
01/04/2021	Administrative Reassignment to Department W <i>Case Reassignment - Judicial Officer Stacy M. Rocheleau</i>
01/05/2015	Judicial Elections 2014 - Case Reassignment <i>Family Court Judicial Officer Reassignment 2014</i>
03/29/2012	 Decree of Divorce Filed by: Petitioner Barral, Megan Elizabeth <i>[7] Decree of Divorce</i>
03/28/2012	 Child Support and Welfare Party Identification Sheet Filed by: Petitioner Barral, Dustin James; Petitioner Barral, Megan Elizabeth; Subject Minor Barral, Levi; Subject Minor Barral, Joshua <i>[6]</i>
03/26/2012	 Notice of Seminar Completion EDCR 5.07 Filed by: Petitioner Barral, Megan Elizabeth <i>[3] Notice of Seminar Completion EDCR 5.07</i>
03/26/2012	 Affidavit of Resident Witness Filed by: Petitioner Barral, Megan Elizabeth <i>[2] Affidavit of Resident Witness</i>
03/26/2012	 Child Support and Welfare Party Identification Sheet Filed by: Petitioner Barral, Megan Elizabeth <i>[5]</i>
03/26/2012	 Notice of Seminar Completion EDCR 5.07 Filed by: Petitioner Barral, Megan Elizabeth <i>[4] Notice of Seminar Completion EDCR 5.07</i>
02/09/2012	 Joint Petition for Summary Decree of Divorce Filed by: Petitioner Barral, Megan Elizabeth <i>[1]</i>
01/10/2012	 Application to Proceed in Forma Pauperis Filed By: Petitioner Barral, Megan Elizabeth

**CASE SUMMARY****CASE NO. D-12-458737-Z**

[8]

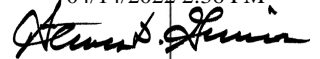
**HEARINGS**

04/19/2022	<b>CANCELED Opposition</b> (1:30 PM) (Judicial Officer: Rocheleau, Stacy M.) <i>Vacated</i> <i>Reply to Response to Opposition to Motion and Notice of Motion to Modify Child Custody, Visitation, and/or Child Support</i>
04/19/2022	<b>CANCELED Hearing</b> (1:30 PM) (Judicial Officer: Rocheleau, Stacy M.) <i>Vacated</i> <i>Response to Opposition to Motion and Notice of Motion to Modify Child Custody, Visitation and/or Child Support</i>
04/19/2022	<b>CANCELED Opposition</b> (1:30 PM) (Judicial Officer: Rocheleau, Stacy M.) <i>Vacated</i> <i>Opposition to Motion to Modify</i>
04/19/2022	<b>CANCELED Motion</b> (1:30 PM) (Judicial Officer: Rocheleau, Stacy M.) <i>Vacated</i> <i>Motion to Modify Child Custody, Visitation and Child Support</i>
04/06/2022	 <b>Minute Order</b> (11:00 AM) (Judicial Officer: Rocheleau, Stacy M.) Minute Order - No Hearing Held; Journal Entry Details: <i>MINUTE ORDER NO HEARING HELD Barral v. Barral D-12-458737-Z NRCP 1 and EDCR 1.10 state that the procedures in district court shall be construed, administered, and employed by the court and the parties to secure the just, speedy, and inexpensive determination of every action and proceeding, and to promote and facilitate the administration of justice. Pursuant to Administrative Order 20-17, this Court may issue a decision on the papers. The Court having considered the Motion to Modify Child Custody, Visitation and/or Child Support filed March 14, 2022, ( Motion ) as well as the parties respective Financial Disclosure Forms, the Opposition to the Motion, the Response and the Reply, as well as the other pleadings and papers filed in this case, and good cause appearing, The Court FINDS the Decree of Divorce entered on March 29, 2012 ( Decree ) awarded Megan primary physical custody of the two minor children and set child support at 25% of Dustin s income at \$1,416 per month. The Court FINDS Megan has been supporting the minor children without any contribution from Dustin since at least May 2013. The Court FINDS three years have passed since the entry of the Decree and the parties are entitled to a review of child support pursuant to NRS 125B.145. The Court FINDS pursuant to NRS 125B.140 payments for child support may not be retroactively modified or adjusted. The Court FINDS Dustin has been incarcerated since May 31, 2013 and is scheduled to be paroled in September 2023. Pursuant to his Financial Disclosure Form filed March 14, 2022 he has no income, however in his moving papers he represents he makes \$30.00 per month. After considering his Financial Disclosure Form and the representations in his Motion, the Court FINDS Dustin s earning capacity is \$30.00 per month. The Court FINDS this is more than a 20% change in his income since the entry of the Decree, which constitutes changed circumstances and modification of the current order for support is appropriate. The Court FINDS the 2022 Low Income Child Support Guidelines ( Guidelines ) for a payer with 2 children earning less than \$849 per month is 14.52% of their gross monthly income. Based upon these Guidelines, Dustin s child support obligation would be \$4.36 per month, however as Dustin s gross monthly income is below the lowest level set forth in the Guidelines the Court FINDS eliminating Dustin s child support obligation is appropriate. IT IS HEREBY ORDERED Dustin s Motion to Modify Child support is GRANTED. Dustin s obligation of child support shall be SUSPENDED commencing March 1, 2022. IT IS FURTHER ORDERED Dustin s request for sanctions is DENIED as he has not shown there is a basis pursuant to EDCR 7.60. IT IS FURTHER ORDERED Megan s request to reduce child support arrears to judgment is DENIED as the child support amount set forth on the Exhibit 1 Arrears Statement is not accurate. This denial is without prejudice and Megan may file a new motion and Schedule of Arrears for the Court s consideration. IT IS FURTHER ORDERED the hearing set on April 19, 2022 to be heard in Chambers shall be VACATED. IT IS SO ORDERED. ;</i>

**DATE****FINANCIAL INFORMATION**

**Petitioner** Barral, Megan Elizabeth  
**Total Charges**  
**Total Payments and Credits**  
**Balance Due as of 5/13/2022**

289.00  
289.00  
**0.00**

  
CLERK OF THE COURT

**ORDR**

DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA

In the Matter of the Joint Petition for Divorce  
of:  
Megan Elizabeth Barral and Dustin James  
Barral

CASE NO. D-12-458737-Z

DEPT. NO. W

Date of Hearing: MINUTE ORDER

Time of Hearing:

**ORDER FROM MINUTE ORDER**

**MINUTE ORDER – NO HEARING HELD**

NRCP 1 and EDCR 1.10 state that the procedures in district court shall be construed, administered, and employed by the court and the parties to secure the just, speedy, and inexpensive determination of every action and proceeding, and to promote and facilitate the administration of justice.

Pursuant to Administrative Order 20-17, this Court may issue a decision on the papers.

The Court having considered the Motion to Modify Child Custody, Visitation and/or Child Support filed March 14, 2022, (“Motion”) as well as the parties respective Financial Disclosure Forms, the Opposition to the Motion, the Response and the Reply, as well as the other pleadings and papers filed in this case, and good cause appearing,

The Court FINDS the Decree of Divorce entered on March 29, 2012 (“Decree”) awarded Megan primary physical custody of the two minor children and set child support at 25% of Dustin’s income at \$1,416 per month.

The Court FINDS Megan has been supporting the minor children without any contribution from Dustin since at least May 2013.



1 The Court FINDS three years have passed since the entry of the Decree and the parties  
2 are entitled to a review of child support pursuant to NRS 125B.145.

3 The Court FINDS pursuant to NRS 125B.140 payments for child support may not be  
4 retroactively modified or adjusted.

5 The Court FINDS Dustin has been incarcerated since May 31, 2013 and is scheduled to  
6 be paroled in September 2023. Pursuant to his Financial Disclosure Form filed March 14, 2022  
7 he has no income, however in his moving papers he represents he makes \$30.00 per  
8 month. After considering his Financial Disclosure Form and the representations in his Motion,  
9 the Court FINDS Dustin's earning capacity is \$30.00 per month. The Court FINDS this is  
10 more than a 20% change in his income since the entry of the Decree, which constitutes changed  
11 circumstances and modification of the current order for support is appropriate.

12 The Court FINDS the 2022 Low Income Child Support Guidelines ("Guidelines") for a  
13 payer with 2 children earning less than \$849 per month is 14.52% of their gross monthly  
14 income. Based upon these Guidelines, Dustin's child support obligation would be \$4.36 per  
15 month, however as Dustin's gross monthly income is below the lowest level set forth in the  
16 Guidelines the Court FINDS eliminating Dustin's child support obligation is appropriate.

17 IT IS HEREBY ORDERED Dustin's Motion to Modify Child support is  
18 GRANTED. Dustin's obligation of child support shall be SUSPENDED commencing March  
19 1, 2022.

20 IT IS FURTHER ORDERED Dustin's request for sanctions is DENIED as he has not  
21 shown there is a basis pursuant to EDCR 7.60.

22 IT IS FURTHER ORDERED Megan's request to reduce child support arrears to  
23 judgment is DENIED as the child support amount set forth on the Exhibit 1 Arrears Statement  
24 is not accurate. This denial is without prejudice and Megan may file a new motion and  
25 Schedule of Arrears for the Court's consideration.

1 IT IS FURTHER ORDERED the hearing set on April 19, 2022 to be heard in Chambers  
2 shall be VACATED.

3 NOTICE: IN ORDER TO ENSURE YOU RECEIVE PROPER NOTICE OF FUTURE  
4 LEGAL ACTION IN THIS MATTER, YOU HAVE AN AFFIRMATIVE DUTY TO  
5 UPDATE YOUR PERSONAL INFORMATION WITH THE CLERK OF THE COURT AND  
6 TO SERVE THE OPPOSING PARTY WITH A COPY OF ANY SUCH CHANGE OF  
7 INFORMATION FILED WITH THE COURT. YOUR FAILURE TO UPDATE YOUR  
8 PERSONAL INFORMATION MAY RESULT IN SERVICE OF LEGAL PROCESS BEING  
9 EFFECTUATED TO AN INVALID ADDRESS AND ADVERSE RELIEF BEING  
10 GRANTED BY THE COURT.

11 The parents understand and acknowledge that, pursuant to the terms of the Parental  
12 Kidnaping Prevention Act, 28 U.S.C. §1738A, and the Uniform Child Custody Jurisdiction and  
13 Enforcement Act, NRS 125A.005, et seq., the courts of Nevada have exclusive modification  
14 jurisdiction of the custody, visitation, and child support terms relating to the child at issue in  
15 this case so long as either of the parents, or the child, continue to reside in Nevada.  
16

17 **NOTICE IS HEREBY GIVEN** of the following provision of NRS 125C.0045(6):  
18 PENALTY FOR VIOLATION OF ORDER: THE ABDUCTION, CONCEALMENT OR  
19 DETENTION OF A CHILD IN VIOLATION OF THIS ORDER IS PUNISHABLE AS A  
20 CATEGORY D FELONY AS PROVIDED IN NRS 193.130. NRS 200.359 provides that every  
21 person having a limited right of custody to a child or any parent having no right of custody to  
22 the child who willfully detains, conceals, or removes the child from a parent, guardian or other  
23 person having lawful custody or a right of visitation of the child in violation of an order of this  
24 Court, or removes the child from the jurisdiction of the Court without the consent of either the  
25  
26  
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28

1 Court of all persons who have the right to custody or visitation is subject to being punished for  
2 a category D felony as provided in NRS 193.130.

3 **NOTICE IS HEREBY GIVEN** that the terms of the Hague Convention of October 25,  
4 1980, adopted by the 14th Session of the Hague Conference on Private International Law,  
5 apply if a parent abducts or wrongfully retains a child in a foreign country. The parties are also  
6 put on notice of the following provision of NRS 125C.0045(8):

7 If a parent of the child lives in a foreign country or has significant commitments in a  
8 foreign country:

9 (a) The parties may agree, and the Court shall include in the order for custody of  
10 the child, that the United States is the country of habitual residence of the child for the  
11 purposes of applying the terms of the Hague Convention as set forth in subsection 7.  
12

13 (b) Upon motion of one of the parties, the Court may order the parent to post a  
14 bond if the Court determines that the parent poses an imminent risk of wrongfully  
15 removing or concealing the child outside the country of habitual residence. The bond  
16 must be in an amount determined by the Court and may be used only to pay for the cost  
17 of locating the child and returning him/her to his/her habitual residence if the child is  
18 wrongfully removed from or concealed outside the country of habitual residence. The  
19 fact that a parent has significant commitments in a foreign country does not create a  
20 presumption that the parent poses an imminent risk of wrongfully removing or  
21 concealing the child.  
22

23 **NOTICE IS HEREBY GIVEN** that the parties are subject to the relocation  
24 requirements of NRS 125C.006 & NRS 125C.0065. If joint or primary physical custody has  
25 been established pursuant to an order, judgment or decree of a Court and one parent intends to  
26 relocate his/her residence to a place outside of this State or to a place within this State that is at  
27  
28

1 such a distance that would substantially impair the ability of the other parent to maintain a  
2 meaningful relationship with the child, and the relocating parent desires to take the child with  
3 him/her, the relocating parent shall, before relocating: (a) attempt to obtain the written consent  
4 of the non-relocating parent to relocate with the child; and (b) if the non-relocating parent  
5 refuses to give that consent, petition the Court for permission to move and/or for primary  
6 physical custody for the purpose of relocating. A parent who desires to relocate with a child has  
7 the burden of proving that relocation with the child is in the best interest of the child. The Court  
8 may award reasonable attorney's fees and costs to the relocating parent if the Court finds that  
9 the non-relocating parent refused to consent to the relocating parent's relocation with the child  
10 without having reasonable grounds for such refusal, or for the purpose of harassing the  
11 relocating parent. A parent who relocates with a child pursuant to this section without the  
12 written consent of the other parent or the permission of the Court is subject to the provisions of  
13 NRS 200.359. The failure of a parent to comply with the provisions of this section may be  
14 considered as a factor if a change of custody is requested by the non-custodial parent.  
15

16 **NOTICE IS HEREBY GIVEN** that the parties are subject to the provisions of NRS  
17 Chapter 31A and NRS 425.560 regarding the collection of delinquent child support payments.

18 **NOTICE IS HEREBY GIVEN** that:

19 A. Pursuant to NRS 125B.140, if an installment of an obligation to pay support for a  
20 child becomes delinquent, the court shall determine interest upon the arrearages at a rate  
21 established pursuant to NRS 99.040, from the time each amount became due. Interest shall  
22 continue to accrue on the amount ordered until it is paid, and additional attorney's fees must be  
23 allowed if required for collection.  
24

25 B. Pursuant to NRS 125B.145, an award of child support shall be reviewed by the court  
26 at least every three (3) years to determine whether the award should be modified. The review  
27  
28

1 will be conducted upon the filing of a request by a (1) parent or legal guardian of the child; or  
2 (2) the Nevada State Welfare Division or the District Attorney's Office, if the Division of the  
3 District Attorney has jurisdiction over the case.

4 C. Pursuant to NRS 125.450(2), the wages and commissions of the parent responsible  
5 for paying support shall be subject to assignment or withholding for the purpose of payment of  
6 the foregoing obligation of support as provided in NRS 31A.020 through 31A.240, inclusive.

7 **NAC 425.165 - If the child support order is for more than one child and does not allocate**  
8 **a specific amount to each child, the following notice must be added:**

9 **NOTICE IS HEREBY GIVEN** that if either party wants to adjust the amount of child  
10 support established in this order, they must file a motion to modify the order with or submit a  
11 stipulation to the court. If a motion to modify the order is not filed or a stipulation is not  
12 submitted, the child support obligation established in this order will continue until such time as  
13 all children who are the subject of this order reach 18 years of age or, if the youngest child who  
14 is subject to this order is still in high school when he/she reaches 18 years of age, when the  
15 child graduates from high school or reaches 19 years of age, whichever comes first. Unless the  
16 parties agree otherwise in a stipulation, any modification made pursuant to a motion to modify  
17 the order will be effective as of the date the motion was filed.  
18

19 Dated this 14th day of April, 2022

20   
21

22 **B7B BB8 9303 2CAF**  
23 **Stacy M. Rocheleau**  
24 **District Court Judge**  
25  
26  
27  
28

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 In the Matter of the Joint Petition  
for Divorce of:

7 Megan Elizabeth Barral and  
8 Dustin James Barral

CASE NO: D-12-458737-Z

DEPT. NO. Department W

9  
10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 4/14/2022

15 megan johnson

megan\_kris@aol.com

16 barral barral

dustinbarral@yahoo.com

17  
18 If indicated below, a copy of the above mentioned filings were also served by mail  
19 via United States Postal Service, postage prepaid, to the parties listed below at their last  
known addresses on 4/15/2022

20 Dustin Barral

#1108615

21 LCC

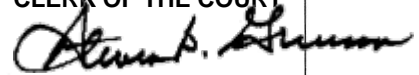
1200 Prison Rd

22 Lovelock, NV, 89419

23 Megan Barral

4478 E Quail AVE

24 Las Vegas, NV, 89120  
25  
26  
27  
28



DISTRICT COURT  
CLARK COUNTY, NEVADA

\*\*\*\*

In the Matter of the Joint Petition for Divorce  
of: Megan Elizabeth Barrel and Dustin James  
Barral

Case: D-12-458737-Z  
Department W

**NOTICE OF ENTRY OF ORDER FROM MINUTE ORDER**

PLEASE TAKE NOTICE that on April 14, 2022 an **ORDER FROM MINUTE ORDER** was entered in the above-referenced matter. A copy of the **ORDER FROM MINUTE ORDER** is attached hereto, and the following is a true and correct copy thereof.

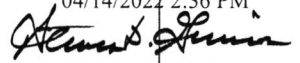
I hereby certify that on the above file-stamped date, I caused the foregoing Notice to be served by: facsimile, by placing a copy in the attorney's folder in the Court clerk's office, by e-service, by e-mailing or by mailing to:

Dustin James Barrel #1108615  
LCC  
1200 Prison Rd.  
Lovelock, NV 89419  
Petitioner in Proper Person

Megan Elizabeth Barral  
4478 E. Quail Ave.  
Las Vegas, NV 89120  
Megan\_kris@aol.com  
Petitioner in Proper Person

/s/ Britney Robinson

Britney Robinson  
Judicial Executive Assistant  
Department W

  
CLERK OF THE COURT

1 **ORDR**

2 DISTRICT COURT  
3 FAMILY DIVISION  
4 CLARK COUNTY, NEVADA

5 In the Matter of the Joint Petition for Divorce

CASE NO. D-12-458737-Z

6 of:

DEPT. NO. W

7 Megan Elizabeth Barral and Dustin James

Date of Hearing: MINUTE ORDER

8 Barral

Time of Hearing:

9 **ORDER FROM MINUTE ORDER**

10 **MINUTE ORDER – NO HEARING HELD**

11 NRCP 1 and EDCR 1.10 state that the procedures in district court shall be construed,  
12 administered, and employed by the court and the parties to secure the just, speedy, and  
13 inexpensive determination of every action and proceeding, and to promote and facilitate the  
14 administration of justice.

15 Pursuant to Administrative Order 20-17, this Court may issue a decision on the papers.

16 The Court having considered the Motion to Modify Child Custody, Visitation and/or  
17 Child Support filed March 14, 2022, ("Motion") as well as the parties respective Financial  
18 Disclosure Forms, the Opposition to the Motion, the Response and the Reply, as well as the  
19 other pleadings and papers filed in this case, and good cause appearing,  
20

21 The Court FINDS the Decree of Divorce entered on March 29, 2012 ("Decree")  
22 awarded Megan primary physical custody of the two minor children and set child support at  
23 25% of Dustin's income at \$1,416 per month.

24 The Court FINDS Megan has been supporting the minor children without any  
25 contribution from Dustin since at least May 2013.



1       The Court FINDS three years have passed since the entry of the Decree and the parties  
2 are entitled to a review of child support pursuant to NRS 125B.145.

3       The Court FINDS pursuant to NRS 125B.140 payments for child support may not be  
4 retroactively modified or adjusted.

5       The Court FINDS Dustin has been incarcerated since May 31, 2013 and is scheduled to  
6 be paroled in September 2023. Pursuant to his Financial Disclosure Form filed March 14, 2022  
7 he has no income, however in his moving papers he represents he makes \$30.00 per  
8 month. After considering his Financial Disclosure Form and the representations in his Motion,  
9 the Court FINDS Dustin's earning capacity is \$30.00 per month. The Court FINDS this is  
10 more than a 20% change in his income since the entry of the Decree, which constitutes changed  
11 circumstances and modification of the current order for support is appropriate.

12       The Court FINDS the 2022 Low Income Child Support Guidelines ("Guidelines") for a  
13 payer with 2 children earning less than \$849 per month is 14.52% of their gross monthly  
14 income. Based upon these Guidelines, Dustin's child support obligation would be \$4.36 per  
15 month, however as Dustin's gross monthly income is below the lowest level set forth in the  
16 Guidelines the Court FINDS eliminating Dustin's child support obligation is appropriate.

17       IT IS HEREBY ORDERED Dustin's Motion to Modify Child support is  
18 GRANTED. Dustin's obligation of child support shall be SUSPENDED commencing March  
19 1, 2022.

20       IT IS FURTHER ORDERED Dustin's request for sanctions is DENIED as he has not  
21 shown there is a basis pursuant to EDCR 7.60.

22       IT IS FURTHER ORDERED Megan's request to reduce child support arrears to  
23 judgment is DENIED as the child support amount set forth on the Exhibit 1 Arrears Statement  
24 is not accurate. This denial is without prejudice and Megan may file a new motion and  
25 Schedule of Arrears for the Court's consideration.

1 IT IS FURTHER ORDERED the hearing set on April 19, 2022 to be heard in Chambers  
2 shall be VACATED.

3 NOTICE: IN ORDER TO ENSURE YOU RECEIVE PROPER NOTICE OF FUTURE  
4 LEGAL ACTION IN THIS MATTER, YOU HAVE AN AFFIRMATIVE DUTY TO  
5 UPDATE YOUR PERSONAL INFORMATION WITH THE CLERK OF THE COURT AND  
6 TO SERVE THE OPPOSING PARTY WITH A COPY OF ANY SUCH CHANGE OF  
7 INFORMATION FILED WITH THE COURT. YOUR FAILURE TO UPDATE YOUR  
8 PERSONAL INFORMATION MAY RESULT IN SERVICE OF LEGAL PROCESS BEING  
9 EFFECTUATED TO AN INVALID ADDRESS AND ADVERSE RELIEF BEING  
10 GRANTED BY THE COURT.

11 The parents understand and acknowledge that, pursuant to the terms of the Parental  
12 Kidnaping Prevention Act, 28 U.S.C. §1738A, and the Uniform Child Custody Jurisdiction and  
13 Enforcement Act, NRS 125A.005, et seq., the courts of Nevada have exclusive modification  
14 jurisdiction of the custody, visitation, and child support terms relating to the child at issue in  
15 this case so long as either of the parents, or the child, continue to reside in Nevada.  
16

17 **NOTICE IS HEREBY GIVEN** of the following provision of NRS 125C.0045(6):  
18 **PENALTY FOR VIOLATION OF ORDER: THE ABDUCTION, CONCEALMENT OR**  
19 **DETENTION OF A CHILD IN VIOLATION OF THIS ORDER IS PUNISHABLE AS A**  
20 **CATEGORY D FELONY AS PROVIDED IN NRS 193.130. NRS 200.359 provides that every**  
21 **person having a limited right of custody to a child or any parent having no right of custody to**  
22 **the child who willfully detains, conceals, or removes the child from a parent, guardian or other**  
23 **person having lawful custody or a right of visitation of the child in violation of an order of this**  
24 **Court, or removes the child from the jurisdiction of the Court without the consent of either the**  
25

1 Court of all persons who have the right to custody or visitation is subject to being punished for  
2 a category D felony as provided in NRS 193.130.

3 **NOTICE IS HEREBY GIVEN** that the terms of the Hague Convention of October 25,  
4 1980, adopted by the 14th Session of the Hague Conference on Private International Law,  
5 apply if a parent abducts or wrongfully retains a child in a foreign country. The parties are also  
6 put on notice of the following provision of NRS 125C.0045(8):

7 If a parent of the child lives in a foreign country or has significant commitments in a  
8 foreign country:

9 (a) The parties may agree, and the Court shall include in the order for custody of  
10 the child, that the United States is the country of habitual residence of the child for the  
11 purposes of applying the terms of the Hague Convention as set forth in subsection 7.

12 (b) Upon motion of one of the parties, the Court may order the parent to post a  
13 bond if the Court determines that the parent poses an imminent risk of wrongfully  
14 removing or concealing the child outside the country of habitual residence. The bond  
15 must be in an amount determined by the Court and may be used only to pay for the cost  
16 of locating the child and returning him/her to his/her habitual residence if the child is  
17 wrongfully removed from or concealed outside the country of habitual residence. The  
18 fact that a parent has significant commitments in a foreign country does not create a  
19 presumption that the parent poses an imminent risk of wrongfully removing or  
20 concealing the child.  
21

22 **NOTICE IS HEREBY GIVEN** that the parties are subject to the relocation  
23 requirements of NRS 125C.006 & NRS 125C.0065. If joint or primary physical custody has  
24 been established pursuant to an order, judgment or decree of a Court and one parent intends to  
25 relocate his/her residence to a place outside of this State or to a place within this State that is at  
26

1 such a distance that would substantially impair the ability of the other parent to maintain a  
2 meaningful relationship with the child, and the relocating parent desires to take the child with  
3 him/her, the relocating parent shall, before relocating: (a) attempt to obtain the written consent  
4 of the non-relocating parent to relocate with the child; and (b) if the non-relocating parent  
5 refuses to give that consent, petition the Court for permission to move and/or for primary  
6 physical custody for the purpose of relocating. A parent who desires to relocate with a child has  
7 the burden of proving that relocation with the child is in the best interest of the child. The Court  
8 may award reasonable attorney's fees and costs to the relocating parent if the Court finds that  
9 the non-relocating parent refused to consent to the relocating parent's relocation with the child  
10 without having reasonable grounds for such refusal, or for the purpose of harassing the  
11 relocating parent. A parent who relocates with a child pursuant to this section without the  
12 written consent of the other parent or the permission of the Court is subject to the provisions of  
13 NRS 200.359. The failure of a parent to comply with the provisions of this section may be  
14 considered as a factor if a change of custody is requested by the non-custodial parent.  
15

16 **NOTICE IS HEREBY GIVEN** that the parties are subject to the provisions of NRS  
17 Chapter 31A and NRS 425.560 regarding the collection of delinquent child support payments.

18 **NOTICE IS HEREBY GIVEN** that:

19 A. Pursuant to NRS 125B.140, if an installment of an obligation to pay support for a  
20 child becomes delinquent, the court shall determine interest upon the arrearages at a rate  
21 established pursuant to NRS 99.040, from the time each amount became due. Interest shall  
22 continue to accrue on the amount ordered until it is paid, and additional attorney's fees must be  
23 allowed if required for collection.  
24

25 B. Pursuant to NRS 125B.145, an award of child support shall be reviewed by the court  
26 at least every three (3) years to determine whether the award should be modified. The review  
27  
28

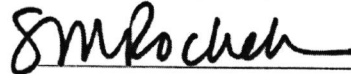
1 will be conducted upon the filing of a request by a (1) parent or legal guardian of the child; or  
2 (2) the Nevada State Welfare Division or the District Attorney's Office, if the Division of the  
3 District Attorney has jurisdiction over the case.

4 C. Pursuant to NRS 125.450(2), the wages and commissions of the parent responsible  
5 for paying support shall be subject to assignment or withholding for the purpose of payment of  
6 the foregoing obligation of support as provided in NRS 31A.020 through 31A.240, inclusive.

7 **NAC 425.165 - If the child support order is for more than one child and does not allocate**  
8 **a specific amount to each child, the following notice must be added:**

9 **NOTICE IS HEREBY GIVEN** that if either party wants to adjust the amount of child  
10 support established in this order, they must file a motion to modify the order with or submit a  
11 stipulation to the court. If a motion to modify the order is not filed or a stipulation is not  
12 submitted, the child support obligation established in this order will continue until such time as  
13 all children who are the subject of this order reach 18 years of age or, if the youngest child who  
14 is subject to this order is still in high school when he/she reaches 18 years of age, when the  
15 child graduates from high school or reaches 19 years of age, whichever comes first. Unless the  
16 parties agree otherwise in a stipulation, any modification made pursuant to a motion to modify  
17 the order will be effective as of the date the motion was filed.  
18

19 Dated this 14th day of April, 2022

20   
21

22 **B7B BB8 9303 2CAF**  
23 **Stacy M. Rocheleau**  
24 **District Court Judge**  
25  
26  
27  
28

1 CSERV

2 DISTRICT COURT  
3 CLARK COUNTY, NEVADA  
4

5  
6 In the Matter of the Joint Petition CASE NO: D-12-458737-Z  
7 for Divorce of: DEPT. NO. Department W  
8 Megan Elizabeth Barral and  
9 Dustin James Barral

10 **AUTOMATED CERTIFICATE OF SERVICE**

11  
12 This automated certificate of service was generated by the Eighth Judicial District  
13 Court. The foregoing Order was served via the court's electronic eFile system to all  
14 recipients registered for e-Service on the above entitled case as listed below:

15 Service Date: 4/14/2022

16 megan johnson megan\_kris@aol.com  
17 barral barral dustinbarral@yahoo.com

18 If indicated below, a copy of the above mentioned filings were also served by mail  
19 via United States Postal Service, postage prepaid, to the parties listed below at their last  
20 known addresses on 4/15/2022

21 Dustin Barral #1108615  
22 LCC  
23 1200 Prison Rd  
24 Lovelock, NV, 89419

25 Megan Barral 4478 E Quail AVE  
26 Las Vegas, NV, 89120  
27  
28

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Divorce - Joint Petition**

**COURT MINUTES**

**April 06, 2022**

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D-12-458737-Z	In the Matter of the Joint Petition for Divorce of: Megan Elizabeth Barral and Dustin James Barral
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**April 06, 2022      11:00 AM      Minute Order**

**HEARD BY:** Rocheleau, Stacy M.

**COURTROOM:** Chambers

**COURT CLERK:** Jefferyann Rouse

**PARTIES:**

Dustin Barral, Petitioner, not present	Pro Se
Joshua Barral, Subject Minor, not present	
Levi Barral, Subject Minor, not present	
Megan Barral, Petitioner, not present	Pro Se

<b>JOURNAL ENTRIES</b>
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- MINUTE ORDER NO HEARING HELD  
Barral v. Barral D-12-458737-Z

NRCP 1 and EDCR 1.10 state that the procedures in district court shall be construed, administered, and employed by the court and the parties to secure the just, speedy, and inexpensive determination of every action and proceeding, and to promote and facilitate the administration of justice.

Pursuant to Administrative Order 20-17, this Court may issue a decision on the papers.

The Court having considered the Motion to Modify Child Custody, Visitation and/or Child Support filed March 14, 2022, ( Motion ) as well as the parties respective Financial Disclosure Forms, the Opposition to the Motion, the Response and the Reply, as well as the other pleadings and papers filed in this case, and good cause appearing,

The Court FINDS the Decree of Divorce entered on March 29, 2012 ( Decree ) awarded Megan primary physical custody of the two minor children and set child support at 25% of Dustin s income

PRINT DATE:	04/06/2022	Page 1 of 3	Minutes Date:	April 06, 2022
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

at \$1,416 per month.

The Court FINDS Megan has been supporting the minor children without any contribution from Dustin since at least May 2013.

The Court FINDS three years have passed since the entry of the Decree and the parties are entitled to a review of child support pursuant to NRS 125B.145.

The Court FINDS pursuant to NRS 125B.140 payments for child support may not be retroactively modified or adjusted.

The Court FINDS Dustin has been incarcerated since May 31, 2013 and is scheduled to be paroled in September 2023.

Pursuant to his Financial Disclosure Form filed March 14, 2022 he has no income, however in his moving papers he represents he makes \$30.00 per month. After considering his Financial Disclosure Form and the representations in his Motion, the Court FINDS Dustin s earning capacity is \$30.00 per month.

The Court FINDS this is more than a 20% change in his income since the entry of the Decree, which constitutes changed circumstances and modification of the current order for support is appropriate.

The Court FINDS the 2022 Low Income Child Support Guidelines ( Guidelines ) for a payer with 2 children earning less than \$849 per month is 14.52% of their gross monthly income. Based upon these Guidelines, Dustin s child support obligation would be \$4.36 per month, however as Dustin s gross monthly income is below the lowest level set forth in the Guidelines the Court FINDS eliminating Dustin s child support obligation is appropriate.

IT IS HEREBY ORDERED Dustin s Motion to Modify Child support is GRANTED. Dustin s obligation of child support shall be SUSPENDED commencing March 1, 2022.

IT IS FURTHER ORDERED Dustin s request for sanctions is DENIED as he has not shown there is a basis pursuant to EDCR 7.60.

IT IS FURTHER ORDERED Megan s request to reduce child support arrears to judgment is DENIED as the child support amount set forth on the Exhibit 1 Arrears Statement is not accurate. This denial is without prejudice and Megan may file a new motion and Schedule of Arrears for the Court s consideration.

IT IS FURTHER ORDERED the hearing set on April 19, 2022 to be heard in Chambers shall be

PRINT DATE:	04/06/2022	Page 2 of 3	Minutes Date:	April 06, 2022
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**



VACATED.  
IT IS SO ORDERED.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

*Canceled: April 19, 2022 1:30 PM Motion  
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated  
Rocheleau, Stacy M.  
Chambers*

*Canceled: April 19, 2022 1:30 PM Opposition  
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated  
Rocheleau, Stacy M.  
Chambers*

*Canceled: April 19, 2022 1:30 PM Hearing  
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated  
Rocheleau, Stacy M.  
Chambers*

*Canceled: April 19, 2022 1:30 PM Opposition  
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated  
Rocheleau, Stacy M.  
Chambers*

PRINT DATE:	04/06/2022	Page 3 of 3	Minutes Date:	April 06, 2022
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EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE  
**NOTICE OF DEFICIENCY**  
ON APPEAL TO NEVADA SUPREME COURT

DUSTIN BARRAL #1108615  
1200 PRISON RD.  
LOVELOCK, NV 89419

DATE: May 13, 2022  
CASE: D-12-458737-Z

**RE CASE:** In the Matter of the Joint Petition for Divorce of:  
MEGAN ELIZABETH BARRAL nka MEGAN ELIZABETH HAMMONDS and DUSTIN JAMES BARRAL

NOTICE OF APPEAL FILED: May 11, 2022

**YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.**

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)\*\*
  - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)\*\*
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)\*\*
  - NRAP 7: Bond For Costs On Appeal in Civil Cases
  - *Previously paid Bonds are not transferable between appeals without an order of the District Court.*
- ☐ Case Appeal Statement
  - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

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**NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:**

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (g) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

***Please refer to Rule 3 for an explanation of any possible deficiencies.***

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***\*\*Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.***

# Certification of Copy

State of Nevada }  
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER FROM MINUTE ORDER; NOTICE OF ENTRY OF ORDER FROM MINUTE ORDER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

In the Matter of the Joint Petition for Divorce of:

MEGAN ELIZABETH BARRAL nka MEGAN ELIZABETH HAMMONDS and DUSTIN JAMES BARRAL,

Petitioner(s),

Case No: D-12-458737-Z

Dept No: W

now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 13 day of May 2022.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk