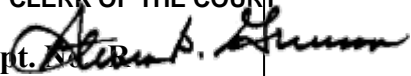


Dept. 

No. D-21-622669-C

IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE  
STATE OF NEVADA IN AND FOR  
THE COUNTY OF CLARK

Electronically Filed  
May 27 2022 02:34 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

MARIO OIPARI

Plaintiff,

vs.

KYMBERLIE JOY HURD

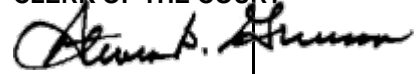
Defendant.

NOTICE OF APPEAL

Notice is hereby given that Kymberlie Joy Hurd, defendant above named, hereby appeals to the Supreme Court of Nevada from the order regarding legal and physical custody of minor child entered in this action on the 19<sup>th</sup> day of May, 2022.

/s/ Kymberlie Joy Hurd

Kymberlie Joy Hurd  
Self Representing  
210 Red Coral Dr.  
Henderson, NV 89002  
702-285-8149  
KymberlieJoy@gmail.com



ASTA

**IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE  
STATE OF NEVADA IN AND FOR  
THE COUNTY OF CLARK**

MARIO OPIPARI,

Plaintiff(s)

vs.

KYMBERLIE HURD aka KYMBERLIE JOY  
HURD,

Defendant(s),

Case No: D-21-622669-C

Dept No: R

**CASE APPEAL STATEMENT**

1. Appellant(s): Kymberlie Joy Hurd

2. Judge: Bill Henderson

3. Appellant(s): Kymberlie Joy Hurd

Counsel:

Kymberlie Joy Hurd  
210 Red Coral Dr.  
Henderson, NV 89002

4. Respondent (s): Mario Opiari

Counsel:

Chaka T. Crome, Esq.  
520 S. Fourth St.

Las Vegas, NV 89101

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

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

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

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

8. Appellant Granted Leave to Proceed in Forma Pauperis: Yes, May 6, 2022

Appellant Filed Application to Proceed in Forma Pauperis: N/A  
Date Application(s) filed: N/A

9. Date Commenced in District Court: March 4, 2021

10. Brief Description of the Nature of the Action: DOMESTIC - Child Custody

Type of Judgment or Order Being Appealed: Judgment

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

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

13. Possibility of Settlement: Unknown

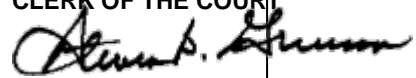
Dated This 25 day of May 2022.

Steven D. Grierson, Clerk of the Court

/s/ Heather Ungermann

Heather Ungermann, Deputy Clerk  
200 Lewis Ave  
PO Box 551601  
Las Vegas, Nevada 89155-1601  
(702) 671-0512

cc: Kymberlie Joy Hurd



No. D-21-622669-C

Dept. No. R

IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE  
STATE OF NEVADA IN AND FOR  
THE COUNTY OF CLARK

MARIO OIPARI

Plaintiff,

vs.

KYMBERLIE JOY HURD

Defendant.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 24<sup>th</sup> day of May, 2022, pursuant to NRCP 5, NEFCR 9, and NRAP 25 served a true and correct copy of the NOTICE OF APPEAL via electronic service through the Eighth Judicial District Court's electronic filing system, and by courtesy copy sent to the email address(s) on file:

Chaka Crome, Esq.  
Crome Law firm

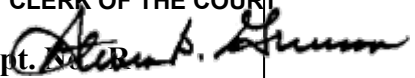
[chaka@cromelawfirm.com](mailto:chaka@cromelawfirm.com); [amy@cromelawfirm.com](mailto:amy@cromelawfirm.com)

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

Pursuant to NRS 53.045, I declare under penalty of perjury that the foregoing is true and correct.

/s/ Kimberlie Joy Hurd

Kymerlie Joy Hurd  
210 Red Coral Dr.  
Henderson, NV 89002  
702-285-8149  
KymerlieJoy@gmail.com  
Self Represented

Dept. 

No. D-21-622669-C

IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE  
STATE OF NEVADA IN AND FOR  
THE COUNTY OF CLARK

MARIO OIPARI

Plaintiff,

vs.

KYMBERLIE JOY HURD

Defendant.

NOTICE OF APPEAL

Notice is hereby given that Kymberlie Joy Hurd, defendant above named, hereby appeals to the Supreme Court of Nevada from the order regarding legal and physical custody of minor child entered in this action on the 19<sup>th</sup> day of May, 2022.

/s/ Kymberlie Joy Hurd

Kymberlie Joy Hurd  
Self Representing  
210 Red Coral Dr.  
Henderson, NV 89002  
702-285-8149  
KymberlieJoy@gmail.com

# CASE SUMMARY

## CASE NO. D-21-622669-C

Mario Opipari, Plaintiff.  
vs.  
Kymberlie Hurd, Defendant.

§  
§  
§  
§

Location: **Department R**  
Judicial Officer: **Henderson, Bill**  
Filed on: **03/04/2021**

### CASE INFORMATION

#### Related Cases

R-21-217397-R (1J1F Related - Rule 5.103)

T-21-218655-T (1J1F Related - Rule 5.103)

T-22-221953-T (1J1F Related - Rule 5.103)

T-22-222002-T (1J1F Related - Rule 5.103)

T-22-222350-T (1J1F Related - Rule 5.103)

Case Type: **Child Custody Complaint**

Case Status: **03/04/2021 Open**

Case Flags: **Order / Decree Logged Into Department  
Appealed to Supreme Court  
In Forma Pauperis Granted**

### DATE

### CASE ASSIGNMENT

#### Current Case Assignment

Case Number D-21-622669-C  
Court Department R  
Date Assigned 03/04/2021  
Judicial Officer Henderson, Bill

### PARTY INFORMATION

		Attorneys
Plaintiff	Opipari, Mario	<b>Crome, Chaka T.</b> <i>Retained</i> 702-384-5563(W)
Defendant	Hurd, Kymberlie	<b>Pro Se</b> 702-285-8149(H)
Subject Minor	Opipari, Azlynn Harlie	
Counter Claimant	Hurd, Kymberlie	<b>Pro Se</b> 702-285-8149(H)
Counter Defendant	Opipari, Mario	<b>Crome, Chaka T.</b> <i>Retained</i> 702-384-5563(W)

### DATE








### EVENTS & ORDERS OF THE COURT

#### EVENTS

- 03/04/2021 Complaint for Custody  
Filed by: Counter Defendant Opipari, Mario  
*[1] Complaint For Custody and UCCJEA Declaration*
- 03/04/2021 Request for Issuance of Joint Preliminary Injunction  
Filed By: Counter Defendant Opipari, Mario  
*[2] Request for Issuance of Joint Preliminary Injunction*
- 03/04/2021 Summons Electronically Issued - Service Pending  
Filed by: Counter Defendant Opipari, Mario  
*[3] Summons*
- 03/05/2021 Joint Preliminary Injunction  
Filed by: Counter Defendant Opipari, Mario  
*[4] Joint Preliminary Injunction*

# CASE SUMMARY




CASE NO. D-21-622669-C

05/07/2021	 Answer and Counterclaim - Divorce, Annulment, Separate Maint Filed by: Counter Claimant Hurd, Kymberlie <i>[5] Answer to Complaint for Custody and UCCJEA Declaration and Counterclaim to Establish Custody, Child Support, Attorney's Fees and Other Related Relief</i>
05/07/2021	 Motion Filed By: Counter Defendant Oipari, Mario <i>[6] Plaintiff Mario Oipari Motion For Temprary Orders Awarding Him Primary Physical Custody, Joint Legal Custody, Visitation, Child Support and Related Relief</i>
05/14/2021	 FMC Request and Order for Mediation - NRS 3.475 <i>[7] Request and Order for FMC Mediation</i>
05/17/2021	 Notice of Hearing <i>[8] Notice of Hearing</i>
05/18/2021	 Notice of Entry of Order Filed By: Counter Claimant Hurd, Kymberlie <i>[9] Notice of Entry of Request and Order for FMC</i>
05/18/2021	 Notice of Entry of Order Filed By: Counter Claimant Hurd, Kymberlie <i>[10] Amended Notice of Entry of Stipulation and Order</i>
05/21/2021	 Financial Disclosure Form Filed by: Counter Claimant Hurd, Kymberlie <i>[11] General Financial Disclosure Form</i>
05/21/2021	 Financial Disclosure Form Filed by: Counter Claimant Hurd, Kymberlie <i>[12] General Financial Disclosure Form</i>
05/21/2021	 Opposition and Countermotion Filed By: Counter Claimant Hurd, Kymberlie <i>[13] Opposition to Plaintiff's Motion For Temporary Orders Awarding Him Primary Physical Custody, Joint Legal Custody, Visitation, Child Support And Related Relief And Countermotion For Primary Physical Custody, To Relocate With The Child to Florida, For Child Support And For Attorney's Fees And Related Relief; Declaration of Defendant Kymberlie Hurd</i>
05/26/2021	 Declaration Filed By: Counter Defendant Oipari, Mario <i>[14] Declaration of Resident Witness</i>
05/27/2021	 Affidavit of Service Filed By: Counter Defendant Oipari, Mario <i>[15] Affidavit of Service of Complaint, Summons, Request for Joint Preliminary Injunction and Joint Preliminary Injunction</i>
05/28/2021	 Financial Disclosure Form Filed by: Counter Defendant Oipari, Mario <i>[16] General Financial Disclosure Form</i>
05/28/2021	 Reply to Counterclaim Filed By: Counter Defendant Oipari, Mario <i>[17] Reply to Counterclaim</i>
06/22/2021	 Opposition and Countermotion Filed By: Counter Defendant Oipari, Mario <i>[18] Plaintiff Mario Oipari Opposition to Defendant's Countermotion for Primary Physical Custody, to Relocate with the Child to Florida, for Child Support and for Attorney's Fees and Related Relief</i>
06/22/2021	 Exhibits Filed By: Counter Defendant Oipari, Mario <i>[19] Exhibit Appendix in Support of Plaintiff Mario Oipari's Opposition to Defendant's Countermotion for</i>

# CASE SUMMARY

CASE NO. D-21-622669-C



*Primary Physical Custody, to Relocate with the Child to Florida, for Child Support and for Attorney's Fees and Related Relief*

06/23/2021	 Objection Filed By: Counter Claimant Hurd, Kymberlie <i>[20] Objection to Exhibits to Plaintiff's Motion</i>
06/23/2021	 Notice of Seminar Completion EDCR 5.302 Filed by: Counter Claimant Hurd, Kymberlie <i>[21] Notice of Seminar Completion</i>
06/23/2021	 Notice of Seminar Completion EDCR 5.302 <i>[22] amended Notice of Seminar Completion</i>
06/24/2021	 Notice of Seminar Completion EDCR 5.302 Filed by: Counter Defendant Opipari, Mario <i>[23] Mario Opipari's Certificate of Completion of Seminar For Separating Parents Pursuant to EDCR 5.302</i>
09/15/2021	 Consent <i>[24] Consent Order to Withdraw emailed to Ct</i>
09/15/2021	 Notice of Entry of Order Filed By: Counter Claimant Hurd, Kymberlie <i>[25] Notice of Entry of Consent Order for Withdrawal of Attorney</i>
09/17/2021	 Order <i>[26] Amended Consent Order For Withdrawal of Attorney</i>
09/20/2021	 Notice of Entry of Order Filed By: Counter Claimant Hurd, Kymberlie <i>[27] Notice of Entry of Consent Order for Withdrawal of Attorney</i>
09/20/2021	 Notice of Entry of Order Filed By: Counter Claimant Hurd, Kymberlie <i>[28] Notice of Entry of Consent Order for Withdrawal of Attorney</i>
09/27/2021	 Application to Proceed in Forma Pauperis Filed By: Counter Claimant Hurd, Kymberlie <i>[29] Application to Proceed in Forma Pauperis</i>
09/28/2021	 Order to Proceed In Forma Pauperis <i>[30] Order to Proceed In Forma Pauperis</i>
10/07/2021	 Stipulation and Order <i>[31] Stipulation to Continue Settlement Conference</i>
10/08/2021	 Notice of Entry of Stipulation and Order Filed by: Counter Defendant Opipari, Mario <i>[32] Notice of Entry of Stipulation and Order to Continue Settlement Conference and Return Hearing</i>
11/15/2021	 Motion Filed By: Counter Defendant Opipari, Mario <i>[33] Plaintiff Mario Opipari's Emergency Motion for Enforcement of Order for a Pickup Order, for Temporary Primary Physical Custody, Child Support, Compensatory Time and Related Matters</i>
11/15/2021	 Notice of Hearing <i>[34] Notice of Hearing</i>
11/15/2021	 Ex Parte Application Filed by: Counter Defendant Opipari, Mario <i>[35] Plaintiff Mario Opipari's Ex Parte Application for an Order Shortening Time Regarding the Emergency Motion for Enforcement of Order, for a Pickup Order, for Temporary Primary Physical Custody, Child Support, Compensatory Time, and Related Matters</i>
11/16/2021	 Order Shortening Time

















# CASE SUMMARY

CASE NO. D-21-622669-C

	<i>[36] 111621 Opipari vs. Hurd D-21-622669-C Order Shortening Time</i>
11/16/2021	 Notice of Entry Filed By: Counter Defendant Opipari, Mario <i>[37] Notice of Entry of Order Regarding the Order Shortening Time</i>
11/16/2021	 Exhibits Filed By: Counter Defendant Opipari, Mario <i>[38] Exhibit Appendix In Support Of Plaintiff Mario Opipari's Emergency Motion For Enforcement of Order, For a Pickup Order, For Temporary Primary Physical Custody, Child Support, Compensatory Time, and Related Matters</i>
11/18/2021	 Affidavit of Service Filed By: Counter Defendant Opipari, Mario <i>[39] Affidavit of Service</i>
12/30/2021	 Order <i>[40] Order/Proposed Holiday Schedule</i>
01/07/2022	 Ex Parte Motion Filed by: Counter Defendant Opipari, Mario <i>[41] Plaintiff Mario Opipari's Emergency Ex Parte Motion for a Pickup Order for the Return of the Minor Child</i>
01/10/2022	 Family Court Motion Opposition Fee Information Sheet Filed by: Counter Defendant Opipari, Mario <i>[42] Motion/Opposition Fee Information Sheet</i>
01/10/2022	 NRCP 16.2 Case Management Conference Order <i>[43] Notice of Order of Appearance for NRCP 16.2 Case Management Conference</i>
01/10/2022	 Motion to Compel Filed by: Counter Defendant Opipari, Mario <i>[44] Motion to Compel Defendant to Produce Initial Disclosures Pursuant to Rule 16.205, Disclosures Substantiating Her Financial Disclosure Form, Discovery Responses and Related Matters</i>
01/10/2022	 Exhibits Filed By: Counter Defendant Opipari, Mario <i>[45] Exhibit Appendix in Support of Plaintiff Mario Opipari's Motion to Compel Defendant to Produce Initial Disclosures Pursuant to Rule 16.205, Disclosures Substantiating her Financial Disclosure Form, Discovery Responses and Related Matters</i>
01/11/2022	 Order <i>[46] D-21-622669-C- Emergency Pick-Up Order for the Return of the Minor Child</i>
01/11/2022	 Notice of Entry of Order Filed By: Counter Defendant Opipari, Mario <i>[47] Notice of Entry of Order Regarding Emergency Pick-Up Order for the Return of Minor Child</i>
01/12/2022	 Notice of Entry of Order Filed By: Counter Defendant Opipari, Mario <i>[48] Corrected Notice of Entry of Order Regarding Emergency Pick-Up Order for Return of Minor Child</i>
01/12/2022	 Notice of Hearing <i>[49] Notice of Hearing</i>
01/14/2022	 Motion to Set Aside Filed by: Counter Claimant Hurd, Kymberlie <i>[50] ***No hearing requested.*** Motion and Notice of Motion to Set Aside Order</i>
01/14/2022	 Ex Parte Motion Filed by: Counter Claimant Hurd, Kymberlie <i>[51] Ex Parte Motion for an Order Shortening Time</i>
01/18/2022	 Notice of Rescheduling of Hearing <i>[52] Rescheduled Notice of Hearing-Discovery</i>

# CASE SUMMARY


















CASE NO. D-21-622669-C

01/18/2022	 Exhibits Filed By: Counter Claimant Hurd, Kymberlie <i>[53] Exhibit Appendix</i>
01/18/2022	 Notice of Rescheduling of Hearing <i>[54] Rescheduled notice of Hearing (Signed)</i>
01/19/2022	 Motion Filed By: Counter Claimant Hurd, Kymberlie <i>[55] Motion and Notice of Motion for Temporary Custody, Visitation, Child Support, Spousal Support, and/or Exclusive Possession</i>
01/20/2022	 Notice of Hearing <i>[56] Notice of Hearing</i>
01/20/2022	 Clerk's Notice of Nonconforming Document <i>[57] Notice of Nonconforming Document</i>
01/20/2022	 Motion to Set Aside Filed by: Counter Claimant Hurd, Kymberlie <i>[58] Motion and Notice of Motion to Set Aside Order, Judgment, and/or Default</i>
01/24/2022	 Exhibits Filed By: Counter Claimant Hurd, Kymberlie <i>[59] Corrected Exhibit Appendix for Corrected Motion to Set Aside Order</i>
01/24/2022	 Exhibits Filed By: Counter Claimant Hurd, Kymberlie <i>[60] Re-Corrected Exhibit Appendix for Corrected Motion to Set Aside Order</i>
01/28/2022	 Ex Parte Motion Filed by: Counter Claimant Hurd, Kymberlie <i>[61] Ex Parte Motion For an Order Shortening Time</i>
01/31/2022	 Exhibits Filed By: Counter Claimant Hurd, Kymberlie <i>[62] Exhibit Appendix OST</i>
01/31/2022	 Order Shortening Time <i>[63] OST</i>
02/01/2022	 Notice of Entry of Order/Judgment Filed by: Counter Claimant Hurd, Kymberlie <i>[64] Notice of Entry of Order</i>
02/10/2022	 Opposition to Motion Filed by: Counter Defendant Oipari, Mario <i>[65] Plaintiff Mario Oipari's Opposition to Defendant's Motion to Set Aside Order, Judgment, and/or Default and Countermotion for Attorney's Fees and Related Relief</i>
02/10/2022	 Opposition to Motion Filed by: Counter Defendant Oipari, Mario <i>[66] Corrected Plaintiff Mario Oipari's Opposition to Defendant's Motion to Set Aside Order, Judgment, and/or Default and Countermotion for Attorney's Fees and Related Relief</i>
02/10/2022	 Proof Filed By: Counter Defendant Oipari, Mario <i>[67] Plaintiff Mario Oipari's Insurance Coverage Information to Add Minor Child to Policy</i>
02/10/2022	 Opposition and Countermotion Filed By: Counter Defendant Oipari, Mario Party 2: Counter Claimant Hurd, Kymberlie <i>[68] Plaintiff Mario Oipari Opposition to Defendant's Motion for Temporary Custody, Visitation,, Child Support, Spousal Support, and/or Exclusive Possession and Countermotion Striking Defendant's Exhibit 2, for</i>

**CASE SUMMARY**

**CASE NO. D-21-622669-C**

*Supervised Visitation, Child Support and Attorney's Fees and Costs and Related Relief*

02/11/2022	 Financial Disclosure Form Filed by: Counter Claimant Hurd, Kymberlie <i>[69] General Financial Disclosure Form</i>
02/11/2022	 Notice of Change of Address Filed By: Counter Claimant Hurd, Kymberlie <i>[70] Notice of Change of Address</i>
02/11/2022	 Notice of Appearance Party: Counter Claimant Hurd, Kymberlie <i>[71] Notice of Intent to Appear in an Unbundled Capacity on Behalf of Defendant Via Electronic Means</i>
02/13/2022	 Exhibits Filed By: Counter Claimant Hurd, Kymberlie <i>[72] Exhibits Appendix to Motion to Set Aside and Motion for Temporary Custody</i>
02/13/2022	 Exhibits Filed By: Counter Claimant Hurd, Kymberlie <i>[73] Exhibits Appendix TalkingParents Communications and HPD</i>
02/14/2022	 Exhibits Filed By: Counter Claimant Hurd, Kymberlie <i>[74] Exhibits Appendix to Motion to Set Aside and Motion for Temporary Custody_Quest Lab Toxicology Results</i>
02/15/2022	 Order for Family Mediation Center Services <i>[75]</i>
02/15/2022	 Order for Supervised Visitation <i>[76] Family First Services</i>
02/23/2022	 Exhibits <i>[77] Henderson Police Department Incident Report for 02/09/2022</i>
02/28/2022	 Discovery Commissioners Report and Recommendations <i>[78] Discovery Commissioners Report and Recommendations</i>
03/03/2022	 Motion to Set Aside Filed by: Counter Claimant Hurd, Kymberlie <i>[79] Motion to Set Aside Supervised Visitation Order</i>
03/05/2022	 Notice of Hearing <i>[80] Notice of Hearing</i>
03/08/2022	 Ex Parte Motion Filed by: Counter Claimant Hurd, Kymberlie <i>[81] Emergency Ex Parte Motion For A Pickup Order</i>
03/08/2022	 Ex Parte Motion Filed by: Counter Claimant Hurd, Kymberlie <i>[82] Emergency Ex Parte Motion For A Pickup Order</i>
03/11/2022	 Ex Parte Motion Filed by: Counter Claimant Hurd, Kymberlie <i>[83] Ex Parte Motion For An Order Shortening Time</i>
03/14/2022	 Objection to Discovery Commissioners Report and Recommend Filed by: Counter Claimant Hurd, Kymberlie <i>[84] Objection to Discovery Commissioners Report &amp; Recommendations</i>
03/15/2022	 Application to Proceed in Forma Pauperis Filed By: Counter Claimant Hurd, Kymberlie <i>[85] Application to Proceed in Forma Pauperis</i>


# CASE SUMMARY

CASE NO. D-21-622669-C

03/22/2022	 Order to Proceed In Forma Pauperis <i>[86] Order to Proceed In Forma Pauperis</i>
03/22/2022	 Opposition Filed By: Counter Defendant Oipari, Mario <i>[87] Plaintiff Mario Oipari Opposition to Defendant's Objection to Discovery Commissioner's Report and Recommendations</i>
03/22/2022	 Family Court Motion Opposition Fee Information Sheet Filed by: Counter Defendant Oipari, Mario <i>[88] Motion-Opposition Fee Information Sheet</i>
03/23/2022	 Opposition and Countermotion Filed By: Counter Defendant Oipari, Mario <i>[89] Plaintiff's Opposition to Defendant's Motion Emergency Ex Parte Motion for a Pickup Order for the Return of Minor child and Countermotion to Declare Defendant a Vexatious Litigant, To Dismiss Defendant's Motion in it's Entirety, and for Attorneys' Fees and Costs</i>
03/25/2022	 Ex Parte Motion <i>[90] Ex Parte Motion For An Order Shortening Time</i>
03/28/2022	 Order Shortening Time <i>[91] OST_2022.03.25</i>
03/28/2022	 Order <i>[92] Order on Discovery Commisioners's Report and Recommendation</i>
03/29/2022	 Notice Filed By: Counter Claimant Hurd, Kymberlie <i>[93] Notice of Intent to Serve Subpoena</i>
03/29/2022	 Subpoena Duces Tecum Filed by: Counter Claimant Hurd, Kymberlie <i>[94] Subpoena Duces Tecum-City of Henderson</i>
03/30/2022	 Notice of Entry Filed By: Counter Defendant Oipari, Mario <i>[95] Notice of Entry of Order on Discovery Commissioner's Report and Recommendations</i>
04/03/2022	 Opposition Filed By: Counter Claimant Hurd, Kymberlie <i>[96] Defendant Kymberlie Joy Hurd's Opposition to Plaintiff's Countermotion to Declare Defendant a Vexatious Litigant, to Dismiss Defendant's Motion In Its Entirety, and for Attorneys' Fees and Costs</i>
04/03/2022	 Notice of Hearing Filed By: Counter Claimant Hurd, Kymberlie <i>[97] Notice of Hearing</i>
04/04/2022	 Exhibits Filed By: Counter Claimant Hurd, Kymberlie <i>[98] Exhibit Appendix Supporting Opposition to Plaintiff's Counter Motion</i>
04/05/2022	 Notice of Entry of Order Filed By: Counter Claimant Hurd, Kymberlie <i>[99] Notice of Entry of Order For an Order Shortening Time</i>
04/05/2022	 Reply to Opposition Filed by: Counter Claimant Hurd, Kymberlie <i>[100] Defendant's Reply to Plaintiff's Opposition with Exhibits</i>
04/05/2022	 Motion Filed By: Counter Defendant Oipari, Mario <i>[101] Plaintiff's Motion for a Protective Order Regarding Defendant's Subpoena to the City of Henderson</i>
04/07/2022	

# CASE SUMMARY

CASE NO. D-21-622669-C

	 Notice of Hearing <i>[102] Notice of Hearing</i>
04/07/2022	 Estimate of Transcript <i>[103] June 24, 2021, November 18, 2021; February 15, 2022</i>
04/07/2022	 Affidavit of Service Filed By: Counter Claimant Hurd, Kymberlie <i>[104] Affidavit Of Service of Subpoena to HPD Human Resources</i>
04/07/2022	 Motion to Strike Filed by: Counter Defendant Oipari, Mario <i>[105] Plaintiff's Motion to Strike Defendant's Answer and Counterclaim, to Disallow Defendant From Calling Any Witnesses and/or Using Any Exhibits at Trial, for Contempt and Related Relief</i>
04/07/2022	 Exhibits Filed By: Counter Defendant Oipari, Mario <i>[106] Plaintiff's Exhibit Appendix for Motion to Strike Defendant's Answer and Counterclaim, to Disallow Defendant from Calling any Witnesses and/or Using any Exhibits at Trial, for Contempt and Related Relief</i>
04/07/2022	 Objection Filed By: Counter Defendant Oipari, Mario <i>[107] Objection to Subpoena Duces Tecum to the City of Henderson Human Resources Department</i>
04/08/2022	 Notice of Hearing <i>[108] Notice of Hearing</i>
04/08/2022	 Withdrawal of Attorney Filed By: Counter Claimant Hurd, Kymberlie <i>[109] Withdrawal of Attorney for Defendant</i>
04/08/2022	 Ex Parte Motion Filed by: Counter Defendant Oipari, Mario <i>[110] Ex Parte Motion to Continue Hearing Scheduled on April 12, 2022 at 1:30 p.m.</i>
04/08/2022	 Order <i>[111] D-21-622669-C-Order to Continue Hearing</i>
04/09/2022	 Notice of Motion Filed By: Counter Claimant Hurd, Kymberlie <i>[112] Re-Notice of Motion Defendant Kymberlie Joy Hurd s Emergency Ex Parte Motion For A Pickup Order For The Return of Minor Child with Attached Exhibits</i>
04/11/2022	 Notice of Entry Filed By: Counter Defendant Oipari, Mario <i>[113] Notice of Entry of Order Regarding the Order to Continue Hearing Scheduled on April 12, 2022</i>
04/14/2022	 Exhibits Filed By: Counter Claimant Hurd, Kymberlie <i>[114] Exhibit Appendix Supporting Defendant's Emergency Motion For Pickup Order For The Return of Minor Child Filed 03/08/2022</i>
04/16/2022	 Supplemental Filed By: Counter Claimant Hurd, Kymberlie <i>[115] Supplemental Argument to Defendant's Emergency Motion For a Pickup Order</i>
04/16/2022	 Supplemental Exhibits Filed By: Counter Claimant Hurd, Kymberlie <i>[116] Exhibit Appendix Supporting Supplemental Argument for Defendant's Emergency Motion For Pickup Order For The Return of Minor Child</i>
04/18/2022	 Opposition Filed By: Counter Claimant Hurd, Kymberlie <i>[117] Defendant's Kymberlie Joy Hurd's Opposition to Plaintiff's Motion for a Protective Order Regarding</i>

# CASE SUMMARY

CASE NO. D-21-622669-C

*Defendant's Subpoena to the City of Henderson and to Dismiss Plaintiff's Motion in Its Entirety*

04/18/2022



Opposition

Filed By: Counter Claimant Hurd, Kymberlie

*[118] Defendant's Kymberlie Joy Hurd's Opposition to Plaintiff's Motion to Strike Defendant's Answer and Counterclaim, to Disallow Defendant from Calling any Witnesses and/or Using Any Exhibits at Trial, for Contempt and Related Relief*

04/18/2022



Opposition

Filed By: Counter Claimant Hurd, Kymberlie

*[119] Defendant Kymberlie Joy Hurd's Opposition to Plaintiff Objection to Subpoena Duces Tecum to the City of Henderson Human Resources Department*

04/19/2022



Financial Disclosure Form

Filed by: Counter Defendant Oipari, Mario

*[120] Financial Disclosure Form*

04/26/2022



Application to Proceed in Forma Pauperis

Filed By: Counter Claimant Hurd, Kymberlie

*[121] Application to Proceed in Forma Pauperis*

05/04/2022



Estimate of Transcript

*[122] APRIL 19, 2022*

05/06/2022



Order to Proceed In Forma Pauperis

*[123] Order to Proceed in Forma Pauperis*

05/10/2022



Reply

Filed By: Counter Defendant Oipari, Mario

*[124] Plaintiff's Reply to Defendant's Opposition to Plaintiff's Motion for A Protective Order Regarding Defendant's Subpoena to the City of Henderson*

05/11/2022



Objection

Filed By: Counter Claimant Hurd, Kymberlie

*[125] Objection To Plaintiff's Reply*

05/19/2022



Order

*[126] Order After 4/19/22 Hearing*

05/19/2022



Notice of Entry of Order

Filed By: Counter Defendant Oipari, Mario

*[127] Notice of Entry of Order Regarding Hearing on April 19, 2022*

05/24/2022



Notice of Appeal

Filed By: Counter Claimant Hurd, Kymberlie

*[128] Notice of Appeal*

05/24/2022



Certificate of Service

Filed by: Counter Claimant Hurd, Kymberlie

*[129] Certificate of Service of Filed Notice of Appeal*

05/25/2022



Case Appeal Statement

*Case Appeal Statement*

## HEARINGS

06/24/2021

**Motion (9:00 AM)** (Judicial Officer: Henderson, Bill)

*Plaintiff's Motion for Temporary Orders*

On for Status Check;

*On for Status Check*

06/24/2021

**Opposition & Countermotion (9:00 AM)** (Judicial Officer: Henderson, Bill)

*Opposition & Countermotion*

On for Status Check;

*On for Status Check*

06/24/2021

**Hearing (9:00 AM)** (Judicial Officer: Henderson, Bill)

**CASE SUMMARY****CASE NO. D-21-622669-C***Reply to Counter-motion**On for Status Check;**On for Status Check*

06/24/2021

**All Pending Motions (9:00 AM)** (Judicial Officer: Henderson, Bill)

*Plaintiff Mario Opipari's Motion For Temporary Orders Awarding Him Primary Physical Custody, Joint Legal Custody, Visitation, Child Support and Related Relief...Opposition to Plaintiff's Motion For Temporary Orders Awarding Him Primary Physical Custody, Joint Legal Custody, Visitation, Child Support And Related Relief And Counter-motion For Primary Physical Custody, To Relocate With The Child to Florida, For Child Support And For Attorney's Fees And Related Relief; Declaration of Defendant Kymberlie Hurd...Reply to Counterclaim...Plaintiff Mario Opipari's Opposition to Defendant's Counter-motion for Primary Physical Custody, to Relocate with the Child to Florida, for Child Support and for Attorney's Fees and Related Relief*

**MINUTES**

Matter Heard;

Journal Entry Details:

**PLAINTIFF MARIO OPIPARI'S MOTION FOR TEMPORARY ORDERS AWARDING HIM PRIMARY PHYSICAL CUSTODY, JOINT LEGAL CUSTODY, VISITATION, CHILD SUPPORT AND RELATED RELIEF...OPPOSITION TO PLAINTIFF'S MOTION FOR TEMPORARY ORDERS AWARDING HIM PRIMARY PHYSICAL CUSTODY, JOINT LEGAL CUSTODY, VISITATION, CHILD SUPPORT AND RELATED RELIEF AND COUNTERMOTION FOR PRIMARY PHYSICAL CUSTODY, TO RELOCATE WITH THE CHILD TO FLORIDA, FOR CHILD SUPPORT AND FOR ATTORNEY'S FEES AND RELATED RELIEF; DECLARATION OF DEFENDANT KYMBERLIE HURD...REPLY TO COUNTERCLAIM...PLAINTIFF MARIO OPIPARI'S OPPOSITION TO DEFENDANT'S COUNTERMOTION FOR PRIMARY PHYSICAL CUSTODY, TO RELOCATE WITH THE CHILD TO FLORIDA, FOR CHILD SUPPORT AND FOR ATTORNEY'S FEES AND RELATED RELIEF** COURT CLERKS: Michelle Cunningham (mlc), Tonya Mulvenon Attorney Amanda Roberts, Bar #8898, present on behalf of Attorney Stoffel with Defendant. In the interest of public safety due to the Coronavirus pandemic, all parties were present via VIDEO CONFERENCE through the BlueJeans application. Attorney Roberts represented they have come to some agreements and placed them on the record. Attorney Roberts stated there are two issues they need the Court's help with; the temporary schedule and response time on Talking Parents. Court addressed the parties recording exchanges. Attorney Roberts stated the parties have a high level of conflict right now. Discussion regarding setting a settlement conference. Court advised counsel that the settlement conference will be with Judge Ochoa. Attorney Crome represented paternity is going to be confirmed today and Attorney Roberts confirmed this, stating Plaintiff is on the birth certificate. Attorney Crome addressed the issues with social media. Further discussion. Attorney Crome represented that at the Return Hearing, they want to reserve their rights to argue issues that have not been resolved. Attorney Roberts agreed to this. Court addressed the temporary timeshare until the parties return from Mediation. Attorney Crome stated they would agree to temporary joint physical custody reserving rights to make future arguments and are requesting Thursdays at 5:30 p.m. through Sundays at 5:30 p.m. and if they parties are traveling she would like them to be flexible so that if the return is late there won't be a contempt of court with notice through Talking Parents. Attorney Roberts proposed Defendant having Fridays at 5:30 p.m. until Sundays at 6:00 p.m. and one overnight during the week that would start at 5:30 p.m. and return the next morning when he goes to work. Attorney Roberts further stated, the minor child has Down Syndrome, she is non-verbal, uses ALS, requires constant care and is on medications. Attorney Roberts further stated Defendant has been a stay at home mom and the primary caregiver for the child Attorney Roberts addressed the issue of Plaintiff working on Fridays and having his new girlfriend being the caregiver of the minor child and Defendant will agree to the Thursday if she is given right of first refusal for Fridays. Attorney Roberts requested the parties exchange a journal at exchanges which will document medication, therapy, potty training, etc. Attorney Crome addressed the six (6) hour turn around time request for Talking Parents and the request to have a journal be exchanged. Further, Attorney Crome represented paternal grandmother has been utilized as a third party caregiver for both parties and can watch the minor child when Plaintiff is at work but will agree to temporary right of first refusal. Attorney Crome requested that if Defendant becomes employed that Plaintiff would be granted right of first refusal as well. Attorney Roberts agreed to this. Arguments by counsel given regarding the request for six (6) hour turn around time request for Talking Parents. Court addressed Defendant's intent to relocate to Florida at some point. Court requested counsel to agree that is be deferred but the Court has jurisdiction to deal with it over the next year or two (2). Attorney Roberts stated they are willing to remove the request to relocate if they can settle the case. Parties STIPULATE to the following: 1. Parties will SHARE Joint Legal Custody with a SPECIFIC DEFINITION. 2. Parties will EXCHANGE the minor child at the Henderson Police Department. 3. Parties AGREE to RECORD EXCHANGES. 4. The 4th of July, defined as 5:30 p.m. July 2 through 5:30 p.m. July 5th, will be ALTERNATED with Plaintiff having ODD years and Defendant have EVEN years. 5. Counsel will have MEET AND CONFER regarding CHILD SUPPORT. 6. Defendant will be attending a FUNERAL for her grandmother 7/6/2021 through 7/8/2021 and will exercise that time with the minor child. 7. A MUTUAL BEHAVIOR ORDER will be ISSUED. 8. Parties will COMMUNICATE through TALKING PARENTS. 9. Parties will have a SETTLEMENT CONFERENCE. COURT SO ORDERED. COURT FURTHER ORDERED the following: 1. Parties shall be REFERRED for a SETTLEMENT CONFERENCE with Judge Ochoa, Department S. 2. STATUS CHECK re: Settlement Conference shall be SET for 10/21/2021 at 11:00 a.m. 3. Plaintiff's TIMESHARE with the minor child shall be from 5:30 p.m. on Thursdays through 5:30 p.m. on Sundays. If

# CASE SUMMARY

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Defendant has any special instructions, she shall put it on Talking Parents in the form of a care sheet. 4. Parties shall each have FIRST RIGHT OF REFUSAL. 5. Parties shall have an eight (8) hour RESPONSE TIME to Talking Parents messages but it has to be a relatively serious issue of importance. Parties shall provide WEEKLY UPDATES. 6. Parties shall REMOVE DISPARAGING posts on SOCIAL MEDIA within twenty-four (24) hours. Parties shall be RESPONSIBLE for third parties and direct them to REMOVE DISPARAGING posts IMMEDIATELY. If the third parties do not remove it, the Party shall submit an AFFIDAVIT of the degree of specificity they used to direct the removal. 7. Defendant shall REMAIN on her PRESCRIPTION MEDICATION and follow all medical/therapeutic instructions. If anything medical applies to Plaintiff, it shall be a MUTUAL ORDER. Attorney Roberts shall prepare the order from today's hearing. Attorney Crome shall review and sign off.;

Matter Heard


10/12/2021 **CANCELED Settlement Conference** (9:30 AM) (Judicial Officer: Ochoa, Vincent)  
Vacated  
For Department R

11/18/2021 **Status Check** (10:00 AM) (Judicial Officer: Henderson, Bill)  
Case status settlement conference  
10/21/2021 Reset by Court to 11/22/2021  
11/22/2021 Reset by Court to 11/18/2021  
11/22/2021 Reset by Court to 11/18/2021

On for Status Check;  
On for Status Check

11/18/2021 **Motion** (10:00 AM) (Judicial Officer: Henderson, Bill)  
Plaintiff Mario Oipari's Emergency Motion for Enforcement of Order for a Pickup Order, for Temporary Primary Physical Custody, Child Support, Compensatory Time and Related Matters  
01/04/2022 Reset by Court to 11/18/2021

On for Status Check;  
On for Status Check

11/18/2021  **All Pending Motions** (10:00 AM) (Judicial Officer: Henderson, Bill)  
Status Check: re: Settlement Conference...Plaintiff Mario Oipari's Emergency Motion for Enforcement of Order for a Pickup Order, for Temporary Primary Physical Custody, Child Support, Compensatory Time and Related Matters

## MINUTES

Matter Heard;  
Journal Entry Details:

STATUS CHECK: CASE STATUS SETTLEMENT CONFERENCE....MOTION: PLAINTIFF MARIO OIPARI'S EMERGENCY MOTION FOR ENFORCEMENT FOR ORDER FOR A PICKUP ORDER, FOR TEMPORARY PRIMARY PHYSICAL CUSTODY, CHILD SUPPORT, COMPENSATORY TIME AND RELATED MATTERS...ALL PENDING MOTIONS: STATUS CHECK: RE: SETTLEMENT CONFERENCE...PLAINTIFF MARIO OIPARI'S EMERGENCY MOTION FOR ENFORCEMENT OF ORDER FOR A PICKUP ORDER, FOR TEMPORARY PRIMARY PHYSICAL CUSTODY, CHILD SUPPORT, COMPENSATORY TIME AND RELATED MATTERS COURT CLERK'S: Magdalena Castillo-Ramos (mc), Michelle Cunningham In the interest of public safety due to the Coronavirus pandemic, all parties were present via VIDEO CONFERENCE through BlueJeans application. Discussion regarding Plaintiff's timeshare. COURT NOTED Plaintiff's timeshare is Thursdays at 5:30 p.m. until Sundays at 5:30 p.m. Upon Court's inquiry, Defendant stated she is preparing an emergency motion. Defendant stated Plaintiff is very abusive. Defendant stated Plaintiff does not have minor all the time. Defendant further stated every time Plaintiff has her, Plaintiff sends minor to his mom. COURT NOTED it does not have an emergency motion yet. COURT FURTHER NOTED if it was persuasive, Defendant should have involved the authorities by now. COURT FURTHER NOTED Defendant is confined with material that arose since the last hearing. COURT FURTHER NOTED Defendant cannot deny contact based on the fact Defendant thinks there is no optimum in parenting. Ms. Chrome stated Defendant is playing games and is scheduling activities for minor during Plaintiff's time share. Ms. Chrome stated Defendant told the police and school there is no Court orders. Ms. Chrome further stated Defendant has effectively denied Plaintiff's right of first refusal. Ms. Chrome requested Plaintiff to have temporary primary custody. Ms. Chrome further requested to remove the right of first refusal language and specific orders regarding Thanksgiving and Christmas. Discussion regarding Defendant placing a tracking device on Plaintiff and Plaintiff's girlfriend's vehicle. Ms. Crome represented Defendant placed a tracking device on Plaintiff's vehicle and his girlfriend's vehicle. Ms. Crome stated the police are involved. Defendant stated she put the tracking device because she is concerned of minor's behavior. COURT NOTED Defendant wants to control everything Plaintiff and Plaintiff's girlfriend does with the minor child. Discussion regarding Defendant using drugs. Ms. Crome represented Plaintiff's concerns regarding Defendant using meth. Ms. Chrome requested Defendant to get drug tested. Defendant admitted to using meth about six (6) weeks ago. Further discussion regarding Defendant placing a recorder in minor's diaper bag and minor's health



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insurance. COURT ORDERED the Following: 1. Defendant referred to American Toxicology Institute (ATI) for a full drug screen. Defendant must be present at ATI no later than today. Failure to appear the Court shall presume the drug test dirty for illegal substances. Plaintiff shall pay the cost of the drug test. ATI Referral EXECUTED IN OPEN COURT and LEFT-SIDE FILED. A copy was provided to Defendant IN OPEN COURT. A Copy shall be provided to Attorney Crome.; 2. Defendant shall RETURN minor to Plaintiff by 5:30 P.M. today. CUSTODIAL EXCHANGES shall be conducted at the Henderson Police Department. The CUSTODIAL ORDER for now remains until the next hearing date. If Defendant does not cooperate and Plaintiff does not receive minor today by 5:30 P.M. today, Ms. Crome can submit a pick-up order and that will vest Plaintiff with emergency custody until the next hearing. Plaintiff is REQUIRED within twenty-four (24) hours to contact Ms. Crome to suggest an immediate pendency hearing before the Court if Plaintiff does not receive minor child. Defendant shall not bring DIXIE to exchanges or the school; 3. Plaintiff shall have THANKSGIVING and CHRISTMAS. Ms. Chrome shall put dates and specific times for Plaintiff to pick-up and drop off; 4. The Right of First Refusal shall be ELIMINATED; 5. Ms Crome shall RE-SUBMIT order from last hearing without Defendant's signature; 6. Matter set for a STATUS CHECK re: Defendant's drug test results and visitation on February 17, 2022 at 11:00 A.M.; Ms. Chrome shall prepare the order from today's hearing CLERK S NOTE: A copy of the ATI Referral was emailed to Attorney Crome. (11/19/2021 mc);  
Matter Heard

02/04/2022



**Minute Order** (12:15 PM) (Judicial Officer: Young, Jay)

## MINUTES

Minute Order - No Hearing Held;

Journal Entry Details:

**MINUTE ORDER: NO HEARING HELD, NO PARTIES PRESENT** The court has considered Plaintiff's Motion to Compel Defendant to Produce Initial Disclosures Pursuant to Rule 16.205, Disclosures Substantiating Her Financial Disclosure Form, Discovery Responses and Related Matters (the Motion). Defendant has failed to file a timely opposition to the Motion. Pursuant to EDCR 5.503(b), Defendant is deemed to admit that the Motion is meritorious and to have consented to the court granting the same. The Motion is therefore Granted. All discovery sought therein is compelled and must be provided within 7 days of entry of an order on the court's recommendation. Plaintiff's request for fees is preliminarily granted pursuant to NRCP 16.205(g), subject to proof. Plaintiff may file a Memorandum of Fees and Costs, including a separate affidavit detailing the Brunzell factors, disparity in income, and following requirements of Cadle v. Woods Erickson. Plaintiff may submit a redacted timesheet seeking fees for time spent attempting to resolve the dispute which is the subject of the Motion, drafting pleadings (including supplemental pleadings) and a proposed DCRR. Plaintiff's Memorandum of Fees and Costs is due February 11, 2022. Defendant may respond to the Memorandum of Fees and Costs on or before February 18, 2022. A late submission will not be considered. Plaintiff will submit a single report and recommendation within 21 days of this minute order regarding the underlying Motion and the request for fees and costs. As to the request for fees portion of the DCRR, Plaintiff will use the form DCRR regarding attorney fee awards found at <http://www.clarkcountycourts.us/departments/discovery/>. The court will hold a status hearing on March 2, 2022 at 1:30 PM to determine if the report and recommendation has been submitted. If a DCRR is not timely submitted, Plaintiff's counsel is informed, pursuant to EDCR 7.60 that counsel will be given an opportunity at the March 2, 2022 hearing to be heard why counsel should not be sanctioned for failure to comply with this minute order requiring the submission of a timely DCRR. The hearing presently set for February 9, 2022 is hereby vacated. CLERK'S NOTE: a copy of this Minute Order was e-mailed to Plaintiff's attorney and to Defendant at the e-mail address on file with the Court. (2/4/2022 TC);  
Minute Order - No Hearing Held

02/09/2022

**CANCELED Motion to Compel** (1:00 PM) (Judicial Officer: Young, Jay)

Vacated

Plaintiff's Motion to Compel Defendant to Produce Initial Disclosures Pursuant to Rule 16.205, Disclosures Substantiating Her Financial Disclosure Form, Discovery Responses and Related Matters

**02/16/2022 Reset by Court to 02/09/2022**

02/15/2022

**Status Check** (9:00 AM) (Judicial Officer: Henderson, Bill)

**02/17/2022 Reset by Court to 02/15/2022**

Matter Continued; New Status Check Scheduled

Matter Continued

02/15/2022

**Case Management Conference** (9:00 AM) (Judicial Officer: Henderson, Bill)

**02/17/2022 Reset by Court to 02/15/2022**

Referred to Family Mediation;

Referred to Family Mediation

02/15/2022

**Motion** (9:00 AM) (Judicial Officer: Henderson, Bill)

Defendant's Motion and Notice of Motion for Temporary Custody, Visitation, Child Support, Spousal Support, and/or Exclusive Possession

**02/24/2022 Reset by Court to 02/15/2022**

# CASE SUMMARY

CASE NO. D-21-622669-C

Referred to Family First; Visitation  
Referred to Family First

02/15/2022

## Opposition & Countermotion (9:00 AM) (Judicial Officer: Henderson, Bill)

*Plaintiff Mario Oipari Opposition to Defendant's Motion for Temporary Custody, Visitation,, Child Support, Spousal Support, and/or Exclusive Possession and Countermotion Striking Defendant's Exhibit 2, for Supervised Visitation, Child Support and Attorney's Fees and Costs and Related Relief*  
On for Status Check;  
On for Status Check

02/15/2022

## Opposition & Countermotion (9:00 AM) (Judicial Officer: Henderson, Bill)

*Corrected Plaintiff Mario Oipari's Opposition to Defendant's Motion to Set Aside Order, Judgment, and/or Default and Countermotion for Attorney's Fees and Related Relief*  
On for Status Check;  
On for Status Check

02/15/2022



## All Pending Motions (9:00 AM) (Judicial Officer: Henderson, Bill)

*Defendant's Motion and Notice of Motion for Temporary Custody, Visitation, Child Support, Spousal Support, and/or Exclusive Possession...Plaintiff Mario Oipari's Opposition to Defendant's Motion for Temporary Custody, Visitation, Child Support, Spousal Support, and/or Exclusive Possession and Countermotion Striking Defendant's Exhibit 2, for Supervised Visitation, Child Support and Attorney's Fees and Costs and Related Relief...Corrected Plaintiff Mario Oipari's Opposition to Defendant's Motion to Set Aside Order, Judgment, and/or Default and Countermotion for Attorney's Fees and Related Relief...Case Management Conference*

## MINUTES

Matter Heard;  
Journal Entry Details:

**DEFENDANT'S MOTION AND NOTICE OF MOTION FOR TEMPORARY CUSTODY, VISITATION, CHILD SUPPORT, SPOUSAL SUPPORT, AND/OR EXCLUSIVE POSSESSION...PLAINTIFF MARIO OIPARI'S OPPOSITION TO DEFENDANT'S MOTION FOR TEMPORARY CUSTODY, VISITATION, CHILD SUPPORT, SPOUSAL SUPPORT, AND/OR EXCLUSIVE POSSESSION AND COUNTERMOTION STRIKING DEFENDANT'S EXHIBIT 2, FOR SUPERVISED VISITATION, CHILD SUPPORT AND ATTORNEY'S FEES AND COSTS AND RELATED RELIEF...CORRECTED PLAINTIFF MARIO OIPARI'S OPPOSITION TO DEFENDANT'S MOTION TO SET ASIDE ORDER, JUDGMENT, AND/OR DEFAULT AND COUNTERMOTION FOR ATTORNEY'S FEES AND RELATED RELIEF...CASE MANAGEMENT CONFERENCE** Court Clerks: Autumn Humble (ah), Michelle Cunningham Plaintiff was present via VIDEO CONFERENCE through the BlueJeans application, and Defendant appeared IN PERSON. Attorney Regina McConnell Bar #8029, appeared with Defendant in an UNBUNDLED Capacity. The Court reviewed the drug test results. Attorney McConnell requested a referral to American Toxicology Institute (ATI) for Defendant. Attorney Crome addressed the test results and noted that only urine was tested and requested that Defendant be referred to the Options Program. Attorney Crome further addressed Defendant's mental health, accusations made by Defendant about Plaintiff, and that Defendant previously tried to walk away with minor child. Attorney Crome requested that Defendant have supervised visitation at Family First due to those issues. Attorney Crome further stated that Defendant has refused to provide minor child's medication and shoe inserts to Plaintiff and the police. Defendant addressed the court regarding her drug test results stating that she is clean, has never seen the results, and would like a medical professional to interpret them. Defendant stated since the minor child has been with Plaintiff, he has not taken her to therapy, dance, tap, sports, and teachers have seen behavior changes as the child is acting out and digressing. The Court inquired if Defendant had a current license and vehicle registration, and Defendant confirmed that she does. Discussion regarding the child's activities and therapy and who should take her to these events. Further discussion regarding Plaintiff's girlfriend or Defendant's parents transporting the child. Attorney Crome addressed the Motion to Strike Exhibit 2, and the Court stated that it has not read the exhibits. **COURT ORDERED** the following: 1.) Defendant's Motion to SET ASIDE Order is DENIED. 2.) Plaintiff shall MAINTAIN TEMPORARY Sole Legal and Sole Physical CUSTODY. 3.) In LIEU of CHILD SUPPORT, Defendant shall PAY for her Family First Visits. 4.) If the Supplemental Security Income (SSI) Derivative Benefit for the child is still an issue, as long as Plaintiff has TEMPORARY MAIN CUSTODY, he shall receive the benefits. 5.) Plaintiff shall claim the minor child on the DEPENDENT TAX DEDUCTION every year. 6.) Plaintiff shall TAKE minor child to her THERAPY APPOINTMENTS, and Plaintiff shall be freed of the obligation if Defendant or anyone else shows up during the session and accuses him of being a rapist, and the counseling will be suspended. 7.) Plaintiff AGREES to ENSURE that minor child ATTENDS tap dancing on Saturdays. 8.) Defendant shall be REFERRED to the AMERICAN TOXICOLOGY INSTITUTE (ATI) for RANDOM DRUG TESTING. Plaintiff shall be RESPONSIBLE for the FEES. Plaintiff has the RIGHT to REQUEST Defendant to DRUG TEST once a month. Plaintiff shall e-mail a request for Defendant and counsel. If he emails the request before or by 10:00 a.m., Defendant MUST test by 5:00 p.m. the same day. If Plaintiff emails the request after 10:00 a.m., Defendant MUST test by NOON the next day. A Drug Testing referral EXECUTED in OPEN COURT, and LEFT-SIDE FILED. A copy of the referral and instructions were provided to Defendant in OPEN COURT. Copies shall be provided to both counsel. 9.) Parties shall be REFERRED to the Family Mediation Center (FMC) re: MEDIATION for a PARENTING AGREEMENT. Order for Family Mediation Center Services

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*EXECUTED and FILED IN OPEN COURT. A copy was provided to Defendant IN OPEN COURT. Copies shall be provided to both counsel. 10.) Defendant shall have SUPERVISED VISITATION at FAMILY FIRST. VISITATION shall take place on Wednesdays 6:00 pm to 8:00 pm and Sundays 11:00 am to 1:00 pm for three (3) months. Defendant shall PAY the whole amount of each supervised visitation hour. A REPORT shall be ISSUED. Order for Supervised Visitation at Family First Services EXECUTED and FILED IN OPEN COURT. A copy was provided to Defendant IN OPEN COURT. Copies shall be provided to both counsel. 11.) The DISCOVERY Hearing scheduled for 3/2/2022 shall STAND. 12.) A STATUS CHECK re: FMC Mediation, ATI Results, and Supervised Visitation Report set for 5/9/2022 at 11:00 a.m. 13.) The request for TRIAL shall be DEFERRED to the next hearing. 14.) ATTORNEY'S FEES and COSTS shall be DEFERRED. Attorney Crome to prepare order. Attorney McConnell to review and sign off. CLERK'S NOTE: Copies of the ATI, Family First, and FMC referrals were emailed to both counsel on 02/15/2022 (ah 02/18/2022).;*  
*Matter Heard*

03/02/2022 **CANCELED Status Check - HM (1:30 PM)** (Judicial Officer: Young, Jay)  
*Vacated*  
*Submission of Discovery R&R*

04/19/2022 **Motion (10:00 AM)** (Judicial Officer: Henderson, Bill)  
*Motion to Set Aside Supervised Visitation Order*  
*04/12/2022 Reset by Court to 04/19/2022*  
*04/15/2022 Reset by Court to 04/12/2022*  
*Per Order in OIC*  
*Evidentiary Hearing;*  
*Evidentiary Hearing*

04/19/2022 **Opposition & Countermotion (10:00 AM)** (Judicial Officer: Henderson, Bill)  
*Defendant Kymberlie Joy Hurd's Opposition to Plaintiff's Countermotion to Declare Defendant a Vexatious Litigant, to Dismiss Defendant's Motion In Its Entirety, and for Attorneys Fees and Costs*  
*04/12/2022 Reset by Court to 04/19/2022*  
*Per Order in OIC*  
*Evidentiary Hearing;*  
*Evidentiary Hearing*

04/19/2022 **Hearing (10:00 AM)** (Judicial Officer: Henderson, Bill)  
*Defendant's Reply to Plaintiff's Opposition with Exhibits*  
*04/12/2022 Reset by Court to 04/19/2022*  
*Per Order in OIC*  
*Evidentiary Hearing;*  
*Evidentiary Hearing*

04/19/2022  **All Pending Motions (10:00 AM)** (Judicial Officer: Henderson, Bill)  
*Motion to Set Aside Supervised Visitation Order...Defendant'S Opposition to Plaintiff's Countermotion to Declare Defendant a Vexatious Litigant, to Dismiss Defendant's Motion In Its Entirety, and for Attorney's Fees and Costs...Defendant's Reply to Plaintiff's Opposition with Exhibits*

## MINUTES

*Matter Heard;*  
*Journal Entry Details:*

*MOTION TO SET ASIDE SUPERVISED VISITATION ORDER...DEFENDANT'S OPPOSITION TO PLAINTIFF'S COUNTERMOTION TO DECLARE DEFENDANT A VEXATIOUS LITIGANT, TO DISMISS DEFENDANT'S MOTION IN ITS ENTIRETY, AND FOR ATTORNEY'S FEES AND COSTS...DEFENDANT'S REPLY TO PLAINTIFF'S OPPOSITION WITH EXHIBITS* Plaintiff and Attorney Crome were present via VIDEO CONFERENCE through the BlueJeans application. Defendant appeared IN PERSON. Court reviewed the Motion, Opposition, Defendant's drug test results and noted his concerns. Defendant stated she declared her prescriptions. Court stated the report stated she did not declare her prescriptions. Defendant state she did not drive drunk to her test as she had someone else drive her there. Defendant stated her daughter is regressing on her IEP, has been downgraded and kicked out of the school she was in because they do not support that IEP level. Defendant further stated she has been removed from all the minor child's records and now Plaintiff's girlfriend is taking the minor child to school and doctor's appointments. Defendant further stated the minor child had been potty trained but now has regressed. Attorney Crome requested Defendant be found as a vexatious litigant. Attorney Crome further stated Defendant showed up to Plaintiff's home and called police claiming a disabled child was alone in the home or with a disable grandmother. Attorney Crome represented the police did a well-check, stated there were plenty of people in the home and advised Defendant that if she continues to follow him and record him, that he can press charges for harassment or stalking. Attorney Crome addressed the SSI funds, noting Defendant has not worked, has not responded to discovery, had placed a tracker on Plaintiff's car, jogs by Plaintiff's home, and everything she is doing shows she has a problem with the break-up and not getting the help she needs by enrolling in rehab or trying to benefit the minor child. Attorney Crome represented IEP is

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not before the Court but addressed what the school has said that the minor child is almost non-verbal and more one on one time would benefit the minor child. Attorney Crome addressed accusations by Defendant that Plaintiff is a sexual predator and noted Defendant has filed subpoena's and false reports, when Defendant is at supervised visits Defendant takes the minor child into the bathroom multiple times and goes through all of the diapers during the visitation. Attorney Crome further stated Plaintiff informed her that the minor child now tells Plaintiff when she has to use the bathroom and uses the bathroom. Court addressed the allegations against Defendant. Defendant stated she is trying to keep tabs on the minor child and tried to prove the girlfriend is doing everything. As to the accusations about the bathroom at supervised visits Defendant stated the minor child tells she has to go to the bathroom often so takes her into the restroom. Court inquired why Defendant is not working and she stated because she needs to work on this case and that Plaintiff took the car he gave her so she does not have a vehicle. COURT ORDERED the following: 1. The STATUS CHECK scheduled for 5/9/2022 shall be VACATED. 2. An EVIDENTIARY HEARING re: Custody shall be SET for 8/16/2022 at 1:30 p.m. 3. Defendant's Motion to SET ASIDE Supervised VISITATION shall be DENIED. Defendant shall CONTINUE with SUPERVISED VISITATION and will NOT have to pay CHILD SUPPORT as long as she applies the monies towards her SUPERVISED VISITATION. Defendant's VISITATION times on Sundays shall be CHANGED to 4:00 p.m. through 6:00 p.m. 4. Plaintiff's Motion to DECLARE Defendant a VEXATIOUS LITIGANT shall not be ordered at this time, however, the Court will REVIEW the matters and notices there are EXCESSIVE pleadings filed are filed for an upcoming hearing, the Court will ISSUE a MINUTE ORDER indicating whether or not it has merit. If it CONTINUES UNABATED, the Court will have to go the VEXATIOUS LITIGANT route. 5. ATTORNEY'S FEES shall be DEFERRED. 6. Random DRUG TESTING shall CONTINUE one per month with Plaintiff fronting the COSTS. Attorney Crome shall continue to notify Defendant via LETTER. If Defendant is informed before 10:00 a.m. she shall TEST the same day. If Defendant is informed after 10:00 a.m. she will have until 12:00 p.m. the next day. If Defendant is CLEAN twice in a row, she shall NOT be tested for the third and fourth month prior to trial. 7. Defendant shall try to get LEGAL ASSISTANCE. Defendant shall PRESENT the COURT'S ORDER urging LEGAL AID to provide Defendant an attorney. 8. The PRIOR Order regarding the SSI FUNDS shall REMAIN the Order. 9. Parties shall COMMUNICATE through email through Attorney Crome's office regarding the minor child ONLY and are required to RESPOND to one another. 10. Defendant shall GET A JOB. 11. Defendant shall STAY AWAY from Plaintiff's home unless invited. Attorney Crome shall prepare the order from today's hearing. A copy of the minutes shall be provided to all parties. CLERK'S NOTE: Copies of these Hearing Minutes were provided to all parties. (4/20/2022 - mlc);  
Matter Heard

**SCHEDULED HEARINGS****Evidentiary Hearing** (08/16/2022 at 1:30 PM) (Judicial Officer: Henderson, Bill)

Evidentiary Hearing: RE: Custody

05/09/2022

**CANCELED Status Check** (11:00 AM) (Judicial Officer: Henderson, Bill)

Vacated - per Judge

Re: FMC

05/18/2022

**Motion** (1:00 PM) (Judicial Officer: Young, Jay)

Plaintiff's Motion for a Protective Order Regarding Defendant's Subpoena to the City of Henderson

Granted;

Granted

05/18/2022

**Motion to Strike** (1:00 PM) (Judicial Officer: Young, Jay)

Plaintiff's Motion to Strike Defendant's Answer and Counterclaim, to Disallow Defendant From Calling Any Witnesses and/or Using Any Exhibits at Trial, for Contempt and Related Relief

Denied;

Denied

05/18/2022

**Opposition** (1:00 PM) (Judicial Officer: Young, Jay)

Defendant's Kymberlie Joy Hurd's Opposition to Plaintiff's Motion for a Protective Order Regarding Defendant's Subpoena to the City of Henderson and to Dismiss Plaintiff's Motion in Its Entirety

Denied;

Denied

05/18/2022

**Opposition** (1:00 PM) (Judicial Officer: Young, Jay)

Defendant's Kymberlie Joy Hurd's Opposition to Plaintiff's Motion to Strike Defendant's Answer and Counterclaim, to Disallow Defendant from Calling any Witnesses and/or Using Any Exhibits at Trial, for Contempt and Related Relief

Granted;

Granted

05/18/2022

**All Pending Motions - HM** (1:00 PM) (Judicial Officer: Young, Jay)

Plaintiff's Motion to Strike Defendant's Answer and Counterclaim, to Disallow Defendant From Calling Any Witnesses and/or Using Any Exhibits at Trial, for Contempt and Related Relief...Defendant Kymberlie Joy Hurd's Opposition to Plaintiff's Motion to Strike Defendant's Answer and Counterclaim, to Disallow Defendant from

**CASE SUMMARY****CASE NO. D-21-622669-C**

*Calling any Witnesses and/or Using Any Exhibits at Trial, for Contempt and Related Relief...Plaintiff's Motion for a Protective Order Regarding Defendant's Subpoena to the City of Henderson...Defendant Kymberlie Joy Hurd's Opposition to Plaintiff's Motion for a Protective Order Regarding Defendant's Subpoena to the City of Henderson and to Dismiss Plaintiff's Motion in Its Entirety*

**MINUTES**

Matter Heard;

Journal Entry Details:

**PLAINTIFF'S MOTION TO STRIKE DEFENDANT'S ANSWER AND COUNTERCLAIM, TO DISALLOW DEFENDANT FROM CALLING ANY WITNESSES AND/OR USING ANY EXHIBITS AT TRIAL, FOR CONTEMPT AND RELATED RELIEF...DEFENDANT KYMBERLIE JOY HURD'S OPPOSITION TO PLAINTIFF'S MOTION TO STRIKE DEFENDANT'S ANSWER AND COUNTERCLAIM, TO DISALLOW DEFENDANT FROM CALLING ANY WITNESSES AND/OR USING ANY EXHIBITS AT TRIAL, FOR CONTEMPT AND RELATED RELIEF...PLAINTIFF'S MOTION FOR A PROTECTIVE ORDER REGARDING DEFENDANT'S SUBPOENA TO THE CITY OF HENDERSON...DEFENDANT KYMBERLIE JOY HURD'S OPPOSITION TO PLAINTIFF'S MOTION FOR A PROTECTIVE ORDER REGARDING DEFENDANT'S SUBPOENA TO THE CITY OF HENDERSON AND TO DISMISS PLAINTIFF'S MOTION IN ITS ENTIRETY**

Court and Attorney Crome appeared via BLUEJEANS. Defendant appeared IN PERSON. COURT NOTED there are two (2) motions on today. Court advised Attorney Crome it does not have the power to grant the Motion to Strike as that power rests with the District Court. Court stated it would be happy to hear Attorney Crome's argument on the matter but he is inclined to suggest he would deny the motion without prejudice and allow her to file it in front of the District Court. Attorney Crome represented they discussed it at the last hearing so it is just for the Protective Order they are here. Court addressed the second motion which is the Protective Order regarding Subpoena that was sent to the City of Henderson regarding Plaintiff's employment records from 2017 and addressed the counterclaim. Court inquired as to what Defendant is seeking, noting Defendant's fear of the minor child being abused by the Plaintiff in some way but does not know that Defendant has made the nexus between the fear and the documents that she hopes to get from the City of Henderson. Attorney Crome stated they are up to nineteen (19) pages of the docket in this case and addressed Defendant's harassment of Plaintiff and stated it is not germane to what they are trying to resolve in this case. Attorney Crome represented the Judge has advised Defendant on what she can do to work on herself, Defendant has not made any disclosures, and believes Defendant should receive sanctions pursuant to Rule 37. Attorney Crome stated Defendant still has not responded to discovery responses. Attorney Crome asked that their motion be granted and that she be able to submit memo for fees and costs. Defendant addressed Plaintiff's termination and stated Plaintiff has a handful of sexual assault allegations. Defendant stated she has been asked four (4) times by Attorney Crome to produce documents that Plaintiff has assaulted women and that is what she is trying to do. Defendant further stated she has made offers with no response or counterclaims. In addition, Defendant stated she does not want the allegations to be true but this is one of the most credible sources for her to back up her claims. Court requested Defendant explain what she has done regarding the allegations and if there is a motion before the Court regarding custodial issues. Defendant confirmed there is an evidentiary hearing scheduled in August for custody issues. Attorney Crome confirmed they are trying to prepare for trial, there are no witnesses, and the only thing provided was text messages from 2017. Attorney Crome stated it was not until after Plaintiff got emergency sole legal and sole physical custody and Defendant's drug test results came back bad did she start searching for anything to try and get an equal standing and it is unfair to her client as they do not even have initial disclosures. Attorney Crome addressed medication/Defendant's mental health and discussed Defendant's ability to provide discovery responses. Defendant stated Counsel is fabricating a lot and making allegations that are a lot of hearsay and feels their daughter is in a toxic environment. Defendant addressed letters and emails between herself, Attorney Crome and her past attorney, Jason Stoffel. Defendant requested the allegations being made stop unless she has something substantial to prove it and addressed the Facebook post provided by Attorney Crome. Court advised Defendant it would not allow the subpoena to go forward, as Defendant has not shown the information is relevant and proportional to any claim or defense and has suggested but not pursued a theory that Plaintiff is a sexual predator. Had Defendant engaged in meaningful discovery, the Court might have had enough information that it would allow Plaintiff to obtain the documents and would do an in camera review and, if appropriate, he would have a Protective Order for the use of the documents as that is highly personal information and Defendant has given the Court no avenue to assist her. Because Defendant has refused to engage in discovery, she has failed to meet the burden required to prevail on the motion. Following further discussions and arguments, DISCOVERY COMMISSIONER made its FINDINGS and RECOMMENDED, the following: 1. Plaintiff's Motion to STRIKE is DENIED WITHOUT PREJUDICE. 2. Plaintiff's Motion for a Protective Order RE: the SUBPOENA is GRANTED. 3. Attorney Crome shall prepare and submit the REPORT and RECOMMENDATION (R&R) and share it with Defendant. Defendant will have forty-eight (48) hours to REVIEW the R&R and APPROVE it as to FORM and CONTENT. If Defendant FAILS to avail herself of that opportunity, Attorney Crome may submit the R&R WITHOUT Defendant's signature. Attorney Crome shall have until 6/1/2022 to return the R&R to the Court. 4. A STATUS HEARING re: Submission of Report & Recommendation shall be SET for 6/8/2022 at 1:30 PM. If the R&R is submitted, there shall be NO need to APPEAR and the matter shall be taken OFF CALENDAR.;

Matter Heard

06/08/2022

Status Check - HM (1:30 PM) (Judicial Officer: Young, Jay)

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. D-21-622669-C**

08/16/2022	<i>Submission of Report and Recommendation</i> <b>Evidentiary Hearing</b> (1:30 PM) (Judicial Officer: Henderson, Bill) <i>Evidentiary Hearing: RE: Custody</i>
03/04/2021	<b><u>SERVICE</u></b> <b>Summons</b> Hurd, Kymberlie Served: 05/27/2021

*Heather S. Hurd*  
CLERK OF THE COURT

**ORDR**

**Chaka T. Crome, Esq.**

Nevada Bar No. 008116

CROME LAW FIRM

520 South Fourth Street

Las Vegas, Nevada 89101

Tel: (702) 384-5563

Fax: (702) 852-0915

Email: [Chaka@cromelawfirm.com](mailto:Chaka@cromelawfirm.com)

*Attorney for Plaintiff*

*Mario Opipari*

**DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA**

**MARIO OPIPARI,**

Plaintiff,

vs.

**KYMBERLIE HURD,**

Defendant.

Case No.: D-21-622669-C

Dept. No.: R

Date of Hearing: April 19, 2022

Time of Hearing: 10:00 a.m.

**ORDER**

This matter having come on for Defendant's Motion to Set Aside Order, Judgment and/or Default, Supervised Visitation Order, et al and Plaintiff's Opposition and Countermotion to Delcare Defendant a Vexation Litigant, to Dismiss Defendant's Motion in its entirety, and for Attorney's Fees; Defendant's Reply to Plaintiff's Opposition with Exhibits before this Court on April 19, 2022 at 10:00 a.m., Plaintiff **Mario Opipari ("Mario")**, being present and represented by **Chaka T. Crome Esq.** of **CROME LAW FIRM**; Defendant, **Kymberlie Hurd ("Kymberlie"** or

1 **“Defendant”**), being present **Pro Se**. Mario and his counsel were present via video  
2 conference through the BlueJeans application. Defendant appeared in person.

3 The Court having reviewed the pleadings, Defendant’s drug tests, and other  
4 documents filed in this case by all parties hereto and having heard oral arguments  
5 from counsel referenced above, and good cause appearing therefore:

6  
7 **COURT NOTED** that Defendant does not appear to grasp the severity of the  
8 situation that she created by her choices [**Video Transcript (“VT”) 10:35:59-**  
9 **10:36:22**].

10  
11 **THEREFORE**

12  
13 **IT IS HEREBY ORDERED** that the request to have the emergency orders set  
14 aside is denied [**VT 11:03:15- 11:03:19**]. That pending trial, the existing orders  
15 awarding Mario sole legal custody and sole physical custody shall remain in place  
16 [**VT 10:03:19- 10:03:23**]. Mario shall continue to make legal custody decisions for  
17 the minor child [**VT 10:45:50 – 10:45:59**]. Defendant shall not contact the minor  
18 child’s physicians and contradict what Mario has put in place for the minor child [**VT**  
19 **10:45:59 – 10:46:06**]. Defendant shall continue to have supervised visitation at  
20 Family First. If Defendant prefers Donna’s House, which is Twenty Dollars (\$20.00)  
21 per visit, the Court will modify the [**VT 11:03:08 – 11:03:29**].

22  
23 **IT IS FURTHER ORDERED** that Defendant will not have to pay child  
24 support to Mario so long as she applies the monies towards her supervised visitation  
25 [**VT 11:03:29 – 11:03:35**]. Defendant’s visitation time on Sundays shall be changed  
26  
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1 from 11:00 a.m. until 1:00 p.m to 4:00 p.m. until 6:00 p.m. [VT 11:10:16 –  
2 11:10:38]. That if Defendant is unable to make her scheduled visitation, she will  
3 inform Attorney Crome via email or will inform Family First [VT 11:08:50 –  
4 11:09:00, 11:10:38 – 11:10:44].  
5

6 **IT IS FURTHER ORDERED** that the parties need to use the same parenting  
7 application. The parties were utilizing Talking Parents and now Defendant is using  
8 Our Family Wizard. Whatever parenting application is agreed to, the parties need to  
9 respond to each other as long as it has to do with the minor child. The parties are to  
10 confine their remarks to the care, visitation, and issues concerning their daughter. The  
11 parties should consider not using a parenting application at this time if it is becoming  
12 not helpful and contentious [VT 11:03:39 – 11:04:18, 11:08:08 – 11:09:10].  
13  
14

15 **IT IS FURTHER ORDERED** that the status check scheduled for May 9, 2022  
16 is vacated [VT 10:37:00 – 10:37:15].  
17

18 **IT IS FURTHER ORDERED** that an Evidentiary Hearing regarding custody  
19 is set for August 16, 2022 at 1:30 p.m. [VT 11:04:19 – 11:04:24].  
20

21 **IT IS FURTHER ORDERED** that Mario's Motion to declare Defendant a  
22 vexatious litigant shall not be ordered at this time as it is premature [VT 11:06:30 –  
23 11:06:35]. The Court will review these matters. If the court notices that there is an  
24 upcoming hearing and there are excessive pleadings filed that do not add to the  
25 substance of the issues, the Court will have the ability to issue a minute order  
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1 ...

2 indicating that an exhibit either has no merit or stating the extent that it has merit, and  
3 indicating how the Court is resolving a particular issue. However, if it continues  
4 unabated, the Court may have to make a decision regarding the claims of vexatious  
5 litigation [11:06:36 – 11:07:30].

7 **IT IS FURTHER ORDERED** that the issue of attorney's fees is deferred  
8 [11:03:35 – 11:03:38].

10 **IT IS FURTHER ORDERED** that Defendant's random drug testing shall  
11 continue. Mario will advance the cost of one random drug test per month. Attorney  
12 Crome will continue to notify Defendant by letter of the random drug test. If  
13 Defendant is notified before 10:00 a.m. she shall test by 5:00 p.m. on the same day. If  
14 Defendant is notified after 10:00 a.m., she will have until 12:00 p.m. to test the next  
15 day. Until Defendant is employed, she should respond by submitting to a drug test  
16 within a couple of hours. If Defendant is clean two months in a row, she shall not be  
17 tested the third and fourth month prior to trial [VT 11:09:36 – 11:10:18, 11:11:00 –  
18 11:11:19].

22 ...

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25 ...

1           **IT IS FURTHER ORDERED** that Defendant will try to get legal assistance  
2 immediately. She will present the Court's order strongly urging Legal Aid to provide  
3 Defendant with an attorney [VT 10:52:35-10:35:10]. Defendant will go to the Self-  
4 Help Center to obtain a referral for legal services to assist her with this case [VT  
5 11:05:06 – 11:06:30, 11:12:00 – 11:12:36].  
6

7           **IT IS FURTHER ORDERED** that the prior order directing the SSI funds to  
8 Plaintiff as the temporary sole legal and sole physical custodial will remain the Order  
9 of the Court. The issue of whether the funds were tendered by Plaintiff to Mario will  
10 be addressed at the evidentiary hearing [VT 11:13:20 – 11:13:4].  
11

12           **IT IS FURTHER ORDERED** that the parties shall communicate through  
13 email through Attorney Crome's office regarding the minor child only.  
14

15           **IT IS FURTHER ORDERED** that Defendant shall obtain employment [VT  
16 10:59:50-11:03:10, 11:05:35 – 11:05:42].  
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**IT IS FURTHER ORDERED** that Defendant agrees that she shall stay away from Mario's home unless she is invited [VT 11:09:06 – 11:09:33].

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that Attorney Crome shall prepare the Order from today's hearing.

**Dated this 19th day of May, 2022**

Bill Henderson

**05A 380 2297 9105**  
**Bill Henderson**  
**District Court Judge**

Respectfully submitted by:  
CROME LAW FIRM

Chaka T. Crome

**Chaka T. Crome, Esq.**

Nevada Bar No. 8116

520 South 4<sup>th</sup> Street

Las Vegas, Nevada 89101

(702) 384-5563

[Chaka@CromeLawFirm.com](mailto:Chaka@CromeLawFirm.com)

*Attorney for Plaintiff*

1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 Mario Opipari, Plaintiff.

CASE NO: D-21-622669-C

7 vs.

DEPT. NO. Department R

8 Kymberlie Hurd, Defendant.  
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: 5/19/2022

15 Regina McConnell

Regina@MLVegas.com

16 Chaka Crome

chaka@cromelawfirm.com

17 Jason Stoffel, Esq.

efile@lvfamilylaw.com

18 Crome Law Firm

clfeile@cromelawfirm.com

19 Alicia Woods

billing@cromelawfirm.com

20 Amy Patterson

amy@cromelawfirm.com

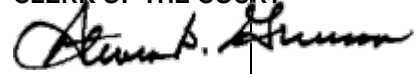
21 Dayna Klingenberg

FrontDesk@MLVegas.com

22 Kymberlie Hurd

Kymberliejoy@gmail.com

23  
24  
25  
26  
27  
28



1 **NEOJ**  
2 **CHAKA T. CROME, ESQ.**  
3 Nevada Bar No. 8116  
4 **CROME LAW FIRM**  
5 520 South 4th Street  
6 Las Vegas, Nevada 89101  
7 Office: (702) 384-5563  
8 Facsimile: (702) 852-0915  
9 chaka@cromelawfirm.com  
10 *Attorney for Plaintiff*  
11 *Mario Oipari*

12 **EIGHTH JUDICIAL DISTRICT COURT FOR THE STATE OF NEVADA**  
13 **FAMILY DIVISION, COUNTY OF CLARK**

14 MARIO OIPARI,

15 Plaintiff,

16 vs.

17 KYMBERLIE HURD,

18 Defendant.

CASE NO.: D-21-622669-C

DEPT. NO.: R

**NOTICE OF ENTRY OF**  
**ORDER REGARDING**  
**HEARING ON APRIL 19, 2022**

19 TO: ALL RELEVANT PARTIES AND THEIR COUNSEL OF RECORD;

20 PLEASE TAKE NOTICE that an Order Regarding Hearing on April 19, 2022

21 ...

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24 OIPARI VS. HURD D-21-622669-C

1 was duly entered in the above-referenced case on the 19<sup>th</sup> day of May, 2022.

2 DATED this 19<sup>th</sup> day of May 2022.

3  
4  
5 **CROME LAW FIRM**

6 */s/ Chaka T. Crome*

7  
8 **CHAKA T. CROME, ESQ.**

9 Nevada Bar No. 8116

10 520 S. Fourth Street

11 Las Vegas, Nevada 89101

12 Office: (702) 384-5563

13 Facsimile: (702) 852-0915

14 [chaka@cromelawfirm.com](mailto:chaka@cromelawfirm.com)

15 *Attorney for Plaintiff*

16 *Mario Opipari*

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[X] pursuant to NEFCR 9, by mandatory electronic service through the Eighth Judicial District Court's electronic filing system;

[ ] by placing the same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;

[ ] by hand-delivery with signed Receipt of Copy.

kymmiejoy@yahoo.com; Kymberliejoy@gmail.com

[ ] pursuant to NEFCR 9, by mandatory electronic service through the Eighth Judicial District Court's electronic filing system;

OPIPARI VS. HURD D-21-622669-C



1 [ ] pursuant to EDCR 7.26 to be sent via **facsimile**, by duly executed  
2 consent for service by electronic means;

3 [ ] by hand-delivery with signed Receipt of Copy;

4 [ ] by courtesy copy sent to email address on file.  
5

6  
7 /s/ Amy Patterson

8 An Employee of Crome Law Firm  
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*Heather S. Hurd*  
CLERK OF THE COURT

**ORDR**

**Chaka T. Crome, Esq.**

Nevada Bar No. 008116

CROME LAW FIRM

520 South Fourth Street

Las Vegas, Nevada 89101

Tel: (702) 384-5563

Fax: (702) 852-0915

Email: [Chaka@cromelawfirm.com](mailto:Chaka@cromelawfirm.com)

*Attorney for Plaintiff*

*Mario Opipari*

**DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA**

**MARIO OPIPARI,**

Plaintiff,

vs.

**KYMBERLIE HURD,**

Defendant.

Case No.: D-21-622669-C

Dept. No.: R

Date of Hearing: April 19, 2022

Time of Hearing: 10:00 a.m.

**ORDER**

This matter having come on for Defendant's Motion to Set Aside Order, Judgment and/or Default, Supervised Visitation Order, et al and Plaintiff's Opposition and Countermotion to Delcare Defendant a Vexation Litigant, to Dismiss Defendant's Motion in its entirety, and for Attorney's Fees; Defendant's Reply to Plaintiff's Opposition with Exhibits before this Court on April 19, 2022 at 10:00 a.m., Plaintiff **Mario Opipari ("Mario")**, being present and represented by **Chaka T. Crome Esq.** of **CROME LAW FIRM**; Defendant, **Kymberlie Hurd ("Kymberlie"** or

1 **“Defendant”**), being present **Pro Se**. Mario and his counsel were present via video  
2 conference through the BlueJeans application. Defendant appeared in person.

3 The Court having reviewed the pleadings, Defendant’s drug tests, and other  
4 documents filed in this case by all parties hereto and having heard oral arguments  
5 from counsel referenced above, and good cause appearing therefore:  
6

7 **COURT NOTED** that Defendant does not appear to grasp the severity of the  
8 situation that she created by her choices **[Video Transcript (“VT”) 10:35:59-**  
9 **10:36:22]**.

10 **THEREFORE**

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12 aside is denied **[VT 11:03:15- 11:03:19]**. That pending trial, the existing orders  
13 awarding Mario sole legal custody and sole physical custody shall remain in place  
14 **[VT 10:03:19- 10:03:23]**. Mario shall continue to make legal custody decisions for  
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16 child’s physicians and contradict what Mario has put in place for the minor child **[VT**  
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18 Family First. If Defendant prefers Donna’s House, which is Twenty Dollars (\$20.00)  
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7 application. The parties were utilizing Talking Parents and now Defendant is using  
8 Our Family Wizard. Whatever parenting application is agreed to, the parties need to  
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16 is vacated [VT 10:37:00 – 10:37:15].  
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19 is set for August 16, 2022 at 1:30 p.m. [VT 11:04:19 – 11:04:24].  
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23 11:06:35]. The Court will review these matters. If the court notices that there is an  
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5 litigation [11:06:36 – 11:07:30].

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11 continue. Mario will advance the cost of one random drug test per month. Attorney  
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13 Defendant is notified before 10:00 a.m. she shall test by 5:00 p.m. on the same day. If  
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15 day. Until Defendant is employed, she should respond by submitting to a drug test  
16 within a couple of hours. If Defendant is clean two months in a row, she shall not be  
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18 11:11:19].

22 ...

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1           **IT IS FURTHER ORDERED** that Defendant will try to get legal assistance  
2 immediately. She will present the Court's order strongly urging Legal Aid to provide  
3 Defendant with an attorney [VT 10:52:35-10:35:10]. Defendant will go to the Self-  
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11  
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13           **IT IS FURTHER ORDERED** that the parties shall communicate through  
14 email through Attorney Crome's office regarding the minor child only.  
15

16           **IT IS FURTHER ORDERED** that Defendant shall obtain employment [VT  
17 10:59:50-11:03:10, 11:05:35 – 11:05:42].  
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**IT IS FURTHER ORDERED** that Defendant agrees that she shall stay away from Mario's home unless she is invited [VT 11:09:06 – 11:09:33].

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that Attorney Crome shall prepare the Order from today's hearing.

**Dated this 19th day of May, 2022**

Bill Henderson

**05A 380 2297 9105**  
**Bill Henderson**  
**District Court Judge**

Respectfully submitted by:  
CROME LAW FIRM

Chaka T. Crome

**Chaka T. Crome, Esq.**

Nevada Bar No. 8116

520 South 4<sup>th</sup> Street

Las Vegas, Nevada 89101

(702) 384-5563

[Chaka@CromeLawFirm.com](mailto:Chaka@CromeLawFirm.com)

*Attorney for Plaintiff*

1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 Mario Opipari, Plaintiff.

CASE NO: D-21-622669-C

7 vs.

DEPT. NO. Department R

8 Kymberlie Hurd, Defendant.  
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: 5/19/2022

15 Regina McConnell

Regina@MLVegas.com

16 Chaka Crome

chaka@cromelawfirm.com

17 Jason Stoffel, Esq.

efile@lvfamilylaw.com

18 Crome Law Firm

clfeile@cromelawfirm.com

19 Alicia Woods

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20 Amy Patterson

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Child Custody Complaint**

**COURT MINUTES**

June 24, 2021

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D-21-622669-C      Mario Opipari, Plaintiff.  
vs.  
Kymberlie Hurd, Defendant.

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**June 24, 2021      9:00 AM      All Pending Motions**

**HEARD BY:** Henderson, Bill

**COURTROOM:** Courtroom 01

**COURT CLERK:** Michelle Cunningham; Tonya Mulvenon

**PARTIES:**

Azlynn Opipari, Subject Minor, not present  
Kymberlie Hurd, Defendant, Counter      Pro Se  
Claimant, present  
Mario Opipari, Plaintiff, Counter Defendant,      Chaka Crome, Attorney, present  
present  
Regina McConnell, Unbundled Attorney, not  
present

<b>JOURNAL ENTRIES</b>
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- PLAINTIFF MARIO OPIPARI'S MOTION FOR TEMPORARY ORDERS AWARDING HIM PRIMARY PHYSICAL CUSTODY, JOINT LEGAL CUSTODY, VISITATION, CHILD SUPPORT AND RELATED RELIEF...OPPOSITION TO PLAINTIFF'S MOTION FOR TEMPORARY ORDERS AWARDING HIM PRIMARY PHYSICAL CUSTODY, JOINT LEGAL CUSTODY, VISITATION, CHILD SUPPORT AND RELATED RELIEF AND COUNTERMOTION FOR PRIMARY PHYSICAL CUSTODY, TO RELOCATE WITH THE CHILD TO FLORIDA, FOR CHILD SUPPORT AND FOR ATTORNEY'S FEES AND RELATED RELIEF; DECLARATION OF DEFENDANT KYMBERLIE HURD...REPLY TO COUNTERCLAIM...PLAINTIFF MARIO OPIPARI'S OPPOSITION TO DEFENDANT'S COUNTERMOTION FOR PRIMARY PHYSICAL CUSTODY, TO RELOCATE WITH THE CHILD TO FLORIDA, FOR CHILD SUPPORT AND FOR ATTORNEY'S FEES AND RELATED RELIEF

COURT CLERKS: Michelle Cunningham (mlc), Tonya Mulvenon

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Attorney Amanda Roberts, Bar #8898, present on behalf of Attorney Stoffel with Defendant.

In the interest of public safety due to the Coronavirus pandemic, all parties were present via VIDEO CONFERENCE through the BlueJeans application.

Attorney Roberts represented they have come to some agreements and placed them on the record. Attorney Roberts stated there are two issues they need the Court's help with; the temporary schedule and response time on Talking Parents. Court addressed the parties recording exchanges. Attorney Roberts stated the parties have a high level of conflict right now. Discussion regarding setting a settlement conference. Court advised counsel that the settlement conference will be with Judge Ochoa.

Attorney Crome represented paternity is going to be confirmed today and Attorney Roberts confirmed this, stating Plaintiff is on the birth certificate. Attorney Crome addressed the issues with social media. Further discussion. Attorney Crome represented that at the Return Hearing, they want to reserve their rights to argue issues that have not been resolved. Attorney Roberts agreed to this.

Court addressed the temporary timeshare until the parties return from Mediation. Attorney Crome stated they would agree to temporary joint physical custody reserving rights to make future arguments and are requesting Thursdays at 5:30 p.m. through Sundays at 5:30 p.m. and if they parties are traveling she would like them to be flexible so that if the return is late there won't be a contempt of court with notice through Talking Parents. Attorney Roberts proposed Defendant having Fridays at 5:30 p.m. until Sundays at 6:00 p.m. and one overnight during the week that would start at 5:30 p.m. and return the next morning when he goes to work. Attorney Roberts further stated, the minor child has Down Syndrome, she is non-verbal, uses ALS, requires constant care and is on medications. Attorney Roberts further stated Defendant has been a stay at home mom and the primary caregiver for the child. Attorney Roberts addressed the issue of Plaintiff working on Fridays and having his new girlfriend being the caregiver of the minor child and Defendant will agree to the Thursday if she is given right of first refusal for Fridays. Attorney Roberts requested the parties exchange a journal at exchanges which will document medication, therapy, potty training, etc.

Attorney Crome addressed the six (6) hour turn around time request for Talking Parents and the request to have a journal be exchanged. Further, Attorney Crome represented paternal grandmother has been utilized as a third party caregiver for both parties and can watch the minor child when Plaintiff is at work but will agree to temporary right of first refusal. Attorney Crome requested that if Defendant becomes employed that Plaintiff would be granted right of first refusal as well. Attorney Roberts agreed to this. Arguments by counsel given regarding the request for six (6) hour turn around time request for Talking Parents.

Court addressed Defendant's intent to relocate to Florida at some point. Court requested counsel to agree that is be deferred but the Court has jurisdiction to deal with it over the next year or two (2). Attorney Roberts stated they are willing to remove the request to relocate if they can settle the case.

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Parties STIPULATE to the following:

1. Parties will SHARE Joint Legal Custody with a SPECIFIC DEFINITION.
2. Parties will EXCHANGE the minor child at the Henderson Police Department.
3. Parties AGREE to RECORD EXCHANGES.
4. The 4th of July, defined as 5:30 p.m. July 2 through 5:30 p.m. July 5th, will be ALTERNATED with Plaintiff having ODD years and Defendant have EVEN years.
5. Counsel will have MEET AND CONFER regarding CHILD SUPPORT.
6. Defendant will be attending a FUNERAL for her grandmother 7/6/2021 through 7/8/2021 and will exercise that time with the minor child.
7. A MUTUAL BEHAVIOR ORDER will be ISSUED.
8. Parties will COMMUNICATE through TALKING PARENTS.
9. Parties will have a SETTLEMENT CONFERENCE.

COURT SO ORDERED.

COURT FURTHER ORDERED the following:

1. Parties shall be REFERRED for a SETTLEMENT CONFERENCE with Judge Ochoa, Department S.
2. STATUS CHECK re: Settlement Conference shall be SET for 10/21/2021 at 11:00 a.m.
3. Plaintiff's TIMESHARE with the minor child shall be from 5:30 p.m. on Thursdays through 5:30 p.m. on Sundays. If Defendant has any special instructions, she shall put it on Talking Parents in the form of a care sheet.
4. Parties shall each have FIRST RIGHT OF REFUSAL.
5. Parties shall have an eight (8) hour RESPONSE TIME to Talking Parents messages but it has to be a relatively serious issue of importance. Parties shall provide WEEKLY UPDATES.
6. Parties shall REMOVE DISPARAGING posts on SOCIAL MEDIA within twenty-four (24) hours. Parties shall be RESPONSIBLE for third parties and direct them to REMOVE DISPARAGING posts IMMEDIATELY. If the third parties do not remove it, the Party shall submit an AFFIDAVIT of the degree of specificity they used to direct the removal.

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7. Defendant shall REMAIN on her PRESCRIPTION MEDICATION and follow all medical/therapeutic instructions. If anything medical applies to Plaintiff, it shall be a MUTUAL ORDER.

Attorney Roberts shall prepare the order from today's hearing. Attorney Crome shall review and sign off.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Child Custody Complaint**

**COURT MINUTES**

November 18, 2021

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D-21-622669-C      Mario Oipari, Plaintiff.  
vs.  
Kymberlie Hurd, Defendant.

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**November 18, 2021      10:00 AM      All Pending Motions**

**HEARD BY:** Henderson, Bill

**COURTROOM:** Courtroom 01

**COURT CLERK:** Michelle Cunningham; Magdalena Castillo-Ramos

**PARTIES:**

Azlynn Oipari, Subject Minor, not present  
Kymberlie Hurd, Defendant, Counter      Pro Se  
Claimant, present  
Mario Oipari, Plaintiff, Counter Defendant,      Chaka Crome, Attorney, present  
present  
Regina McConnell, Unbundled Attorney, not  
present

<b>JOURNAL ENTRIES</b>
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- STATUS CHECK: CASE STATUS SETTLEMENT CONFERENCE....MOTION: PLAINTIFF MARIO OIPARI'S EMERGENCY MOTION FOR ENFORCEMENT FOR ORDER FOR A PICKUP ORDER, FOR TEMPORARY PRIMARY PHYSICAL CUSTODY, CHILD SUPPORT, COMPENSATORY TIME AND RELATED MATTERS...ALL PENDING MOTIONS: STATUS CHECK: RE: SETTLEMENT CONFERENCE...PLAINTIFF MARIO OIPARI'S EMERGENCY MOTION FOR ENFORCEMENT OF ORDER FOR A PICKUP ORDER, FOR TEMPORARY PRIMARY PHYSICAL CUSTODY, CHILD SUPPORT, COMPENSATORY TIME AND RELATED MATTERS

COURT CLERK'S: Magdalena Castillo-Ramos (mc), Michelle Cunningham

In the interest of public safety due to the Coronavirus pandemic, all parties were present via VIDEO CONFERENCE through BlueJeans application.

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Discussion regarding Plaintiff's timeshare. COURT NOTED Plaintiff's timeshare is Thursdays at 5:30 p.m. until Sundays at 5:30 p.m. Upon Court's inquiry, Defendant stated she is preparing an emergency motion. Defendant stated Plaintiff is very abusive. Defendant stated Plaintiff does not have minor all the time. Defendant further stated every time Plaintiff has her, Plaintiff sends minor to his mom. COURT NOTED it does not have an emergency motion yet. COURT FURTHER NOTED if it was persuasive, Defendant should have involved the authorities by now. COURT FURTHER NOTED Defendant is confined with material that arose since the last hearing. COURT FURTHER NOTED Defendant cannot deny contact based on the fact Defendant thinks there is no optimum in parenting. Ms. Chrome stated Defendant is playing games and is scheduling activities for minor during Plaintiff's time share. Ms. Chrome stated Defendant told the police and school there is no Court orders. Ms. Chrome further stated Defendant has effectively denied Plaintiff's right of first refusal. Ms. Chrome requested Plaintiff to have temporary primary custody. Ms. Chrome further requested to remove the right of first refusal language and specific orders regarding Thanksgiving and Christmas.

Discussion regarding Defendant placing a tracking device on Plaintiff and Plaintiff's girlfriend's vehicle. Ms. Crome represented Defendant placed a tracking device on Plaintiff's vehicle and his girlfriend's vehicle. Ms. Crome stated the police are involved. Defendant stated she put the tracking device because she is concerned of minor's behavior. COURT NOTED Defendant wants to control everything Plaintiff and Plaintiff's girlfriend does with the minor child.

Discussion regarding Defendant using drugs. Ms. Crome represented Plaintiff's concerns regarding Defendant using meth. Ms. Chrome requested Defendant to get drug tested. Defendant admitted to using meth about six (6) weeks ago.

Further discussion regarding Defendant placing a recorder in minor's diaper bag and minor's health insurance.

COURT ORDERED the Following:

1. Defendant referred to American Toxicology Institute (ATI) for a full drug screen. Defendant must be present at ATI no later than today. Failure to appear the Court shall presume the drug test dirty for illegal substances. Plaintiff shall pay the cost of the drug test. ATI Referral EXECUTED IN OPEN COURT and LEFT-SIDE FILED. A copy was provided to Defendant IN OPEN COURT. A Copy shall be provided to Attorney Crome.;
2. Defendant shall RETURN minor to Plaintiff by 5:30 P.M. today. CUSTODIAL EXCHANGES shall be conducted at the Henderson Police Department. The CUSTODIAL ORDER for now remains until the next hearing date. If Defendant does not cooperate and Plaintiff does not receive minor today by 5:30 P.M. today, Ms. Crome can submit a pick-up order and that will vest Plaintiff with emergency custody until the next hearing. Plaintiff is REQUIRED within twenty-four (24) hours to contact Ms. Crome to suggest an immediate pendency hearing before the Court if Plaintiff does not receive minor child. Defendant shall not bring DIXIE to exchanges or the school;

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3. Plaintiff shall have THANKSGIVING and CHRISTMAS. Ms. Chrome shall put dates and specific times for Plaintiff to pick-up and drop off;

4. The Right of First Refusal shall be ELIMINATED;

5. Ms Crome shall RE-SUBMIT order from last hearing without Defendant's signature;

6. Matter set for a STATUS CHECK re: Defendant's drug test results and visitation on February 17, 2022 at 11:00 A.M.;

Ms. Chrome shall prepare the order from today's hearing

CLERK S NOTE: A copy of the ATI Referral was emailed to Attorney Crome. (11/19/2021 mc)

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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2022. Defendant may respond to the Memorandum of Fees and Costs on or before February 18, 2022. A late submission will not be considered.

Plaintiff will submit a single report and recommendation within 21 days of this minute order regarding the underlying Motion and the request for fees and costs. As to the request for fees portion of the DCRR, Plaintiff will use the form DCRR regarding attorney fee awards found at <http://www.clarkcountycourts.us/departments/discovery/>. The court will hold a status hearing on March 2, 2022 at 1:30 PM to determine if the report and recommendation has been submitted. If a DCRR is not timely submitted, Plaintiff's counsel is informed, pursuant to EDCR 7.60 that counsel will be given an opportunity at the March 2, 2022 hearing to be heard why counsel should not be sanctioned for failure to comply with this minute order requiring the submission of a timely DCRR. The hearing presently set for February 9, 2022 is hereby vacated.

CLERK'S NOTE: a copy of this Minute Order was e-mailed to Plaintiff's attorney and to Defendant at the e-mail address on file with the Court. (2/4/2022 TC)

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Child Custody Complaint**

**COURT MINUTES**

February 15, 2022

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D-21-622669-C      Mario Opipari, Plaintiff.  
vs.  
Kymberlie Hurd, Defendant.

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**February 15, 2022      9:00 AM      All Pending Motions**

**HEARD BY:** Henderson, Bill

**COURTROOM:** Courtroom 01

**COURT CLERK:** Michelle Cunningham; Autumn Humble

**PARTIES:**

Azlynn Opipari, Subject Minor, not present  
Kymberlie Hurd, Defendant, Counter      Pro Se  
Claimant, present  
Mario Opipari, Plaintiff, Counter Defendant,      Chaka Crome, Attorney, present  
present  
Regina McConnell, Unbundled Attorney,  
present

<b>JOURNAL ENTRIES</b>
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- DEFENDANT'S MOTION AND NOTICE OF MOTION FOR TEMPORARY CUSTODY, VISITATION, CHILD SUPPORT, SPOUSAL SUPPORT, AND/OR EXCLUSIVE POSSESSION...PLAINTIFF MARIO OPIPARI'S OPPOSITION TO DEFENDANT'S MOTION FOR TEMPORARY CUSTODY, VISITATION, CHILD SUPPORT, SPOUSAL SUPPORT, AND/OR EXCLUSIVE POSSESSION AND COUNTERMOTION STRIKING DEFENDANT'S EXHIBIT 2, FOR SUPERVISED VISITATION, CHILD SUPPORT AND ATTORNEY'S FEES AND COSTS AND RELATED RELIEF...CORRECTED PLAINTIFF MARIO OPIPARI'S OPPOSITION TO DEFENDANT'S MOTION TO SET ASIDE ORDER, JUDGMENT, AND/OR DEFAULT AND COUNTERMOTION FOR ATTORNEY'S FEES AND RELATED RELIEF...CASE MANAGEMENT CONFERENCE

Court Clerks: Autumn Humble (ah), Michelle Cunningham

Plaintiff was present via VIDEO CONFERENCE through the BlueJeans application, and Defendant

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appeared IN PERSON.

Attorney Regina McConnell Bar #8029, appeared with Defendant in an UNBUNDLED Capacity.

The Court reviewed the drug test results. Attorney McConnell requested a referral to American Toxicology Institute (ATI) for Defendant. Attorney Crome addressed the test results and noted that only urine was tested and requested that Defendant be referred to the Options Program. Attorney Crome further addressed Defendant's mental health, accusations made by Defendant about Plaintiff, and that Defendant previously tried to walk away with minor child. Attorney Crome requested that Defendant have supervised visitation at Family First due to those issues. Attorney Crome further stated that Defendant has refused to provide minor child's medication and shoe inserts to Plaintiff and the police.

Defendant addressed the court regarding her drug test results stating that she is clean, has never seen the results, and would like a medical professional to interpret them. Defendant stated since the minor child has been with Plaintiff, he has not taken her to therapy, dance, tap, sports, and teachers have seen behavior changes as the child is acting out and digressing. The Court inquired if Defendant had a current license and vehicle registration, and Defendant confirmed that she does. Discussion regarding the child's activities and therapy and who should take her to these events. Further discussion regarding Plaintiff's girlfriend or Defendant's parents transporting the child.

Attorney Crome addressed the Motion to Strike Exhibit 2, and the Court stated that it has not read the exhibits.

COURT ORDERED the following:

- 1.) Defendant's Motion to SET ASIDE Order is DENIED.
- 2.) Plaintiff shall MAINTAIN TEMPORARY Sole Legal and Sole Physical CUSTODY.
- 3.) In LIEU of CHILD SUPPORT, Defendant shall PAY for her Family First Visits.
- 4.) If the Supplemental Security Income (SSI) Derivative Benefit for the child is still an issue, as long as Plaintiff has TEMPORARY MAIN CUSTODY, he shall receive the benefits.
- 5.) Plaintiff shall claim the minor child on the DEPENDENT TAX DEDUCTION every year.
- 6.) Plaintiff shall TAKE minor child to her THERAPY APPOINTMENTS, and Plaintiff shall be freed of the obligation if Defendant or anyone else shows up during the session and accuses him of being a rapist, and the counseling will be suspended.
- 7.) Plaintiff AGREES to ENSURE that minor child ATTENDS tap dancing on Saturdays.

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8.) Defendant shall be REFERRED to the AMERICAN TOXICOLOGY INSTITUTE (ATI) for RANDOM DRUG TESTING. Plaintiff shall be RESPONSIBLE for the FEES. Plaintiff has the RIGHT to REQUEST Defendant to DRUG TEST once a month. Plaintiff shall e-mail a request for Defendant and counsel. If he emails the request before or by 10:00 a.m., Defendant MUST test by 5:00 p.m. the same day. If Plaintiff emails the request after 10:00 a.m., Defendant MUST test by NOON the next day. A Drug Testing referral EXECUTED in OPEN COURT, and LEFT-SIDE FILED. A copy of the referral and instructions were provided to Defendant in OPEN COURT. Copies shall be provided to both counsel.

9.) Parties shall be REFERRED to the Family Mediation Center (FMC) re: MEDIATION for a PARENTING AGREEMENT. Order for Family Mediation Center Services EXECUTED and FILED IN OPEN COURT. A copy was provided to Defendant IN OPEN COURT. Copies shall be provided to both counsel.

10.) Defendant shall have SUPERVISED VISITATION at FAMILY FIRST. VISITATION shall take place on Wednesdays 6:00 pm to 8:00 pm and Sundays 11:00 am to 1:00 pm for three (3) months. Defendant shall PAY the whole amount of each supervised visitation hour. A REPORT shall be ISSUED. Order for Supervised Visitation at Family First Services EXECUTED and FILED IN OPEN COURT. A copy was provided to Defendant IN OPEN COURT. Copies shall be provided to both counsel.

11.) The DISCOVERY Hearing scheduled for 3/2/2022 shall STAND.

12.) A STATUS CHECK re: FMC Mediation, ATI Results, and Supervised Visitation Report set for 5/9/2022 at 11:00 a.m.

13.) The request for TRIAL shall be DEFERRED to the next hearing.

14.) ATTORNEY'S FEES and COSTS shall be DEFERRED.

Attorney Crome to prepare order. Attorney McConnell to review and sign off.

CLERK'S NOTE: Copies of the ATI, Family First, and FMC referrals were emailed to both counsel on 02/15/2022 (ah 02/18/2022).

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Child Custody Complaint****COURT MINUTES**

April 19, 2022

D-21-622669-C      Mario Oipari, Plaintiff.  
vs.  
Kymberlie Hurd, Defendant.

**April 19, 2022      10:00 AM      All Pending Motions**

**HEARD BY:** Henderson, Bill**COURTROOM:** Courtroom 01**COURT CLERK:** Michelle Cunningham**PARTIES:**

Azlynn Oipari, Subject Minor, not present  
Kymberlie Hurd, Defendant, Counter      Pro Se  
Claimant, present  
Mario Oipari, Plaintiff, Counter Defendant,      Chaka Crome, Attorney, present  
present  
Regina McConnell, Unbundled Attorney, not  
present

<b>JOURNAL ENTRIES</b>
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- MOTION TO SET ASIDE SUPERVISED VISITATION ORDER...DEFENDANT'S OPPOSITION TO PLAINTIFF'S COUNTERMOTION TO DECLARE DEFENDANT A VEXATIOUS LITIGANT, TO DISMISS DEFENDANT'S MOTION IN ITS ENTIRETY, AND FOR ATTORNEY'S FEES AND COSTS...DEFENDANT'S REPLY TO PLAINTIFF'S OPPOSITION WITH EXHIBITS

Plaintiff and Attorney Crome were present via VIDEO CONFERENCE through the BlueJeans application. Defendant appeared IN PERSON.

Court reviewed the Motion, Opposition, Defendant's drug test results and noted his concerns.

Defendant stated she declared her prescriptions. Court stated the report stated she did not declare her prescriptions. Defendant state she did not drive drunk to her test as she had someone else drive her there.

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Defendant stated her daughter is regressing on her IEP, has been downgraded and kicked out of the school she was in because they do not support that IEP level. Defendant further stated she has been removed from all the minor child's records and now Plaintiff's girlfriend is taking the minor child to school and doctor's appointments. Defendant further stated the minor child had been potty trained but now has regressed.

Attorney Crome requested Defendant be found as a vexatious litigant. Attorney Crome further stated Defendant showed up to Plaintiff's home and called police claiming a disabled child was alone in the home or with a disabled grandmother. Attorney Crome represented the police did a well-check, stated there were plenty of people in the home and advised Defendant that if she continues to follow him and record him, that he can press charges for harassment or stalking.

Attorney Crome addressed the SSI funds, noting Defendant has not worked, has not responded to discovery, had placed a tracker on Plaintiff's car, jogs by Plaintiff's home, and everything she is doing shows she has a problem with the break-up and not getting the help she needs by enrolling in rehab or trying to benefit the minor child. Attorney Crome represented IEP is not before the Court but addressed what the school has said that the minor child is almost non-verbal and more one on one time would benefit the minor child.

Attorney Crome addressed accusations by Defendant that Plaintiff is a sexual predator and noted Defendant has filed subpoena's and false reports, when Defendant is at supervised visits Defendant takes the minor child into the bathroom multiple times and goes through all of the diapers during the visitation. Attorney Crome further stated Plaintiff informed her that the minor child now tells Plaintiff when she has to use the bathroom and uses the bathroom.

Court addressed the allegations against Defendant. Defendant stated she is trying to keep tabs on the minor child and tried to prove the girlfriend is doing everything. As to the accusations about the bathroom at supervised visits Defendant stated the minor child tells she has to go to the bathroom often so takes her into the restroom.

Court inquired why Defendant is not working and she stated because she needs to work on this case and that Plaintiff took the car he gave her so she does not have a vehicle.

COURT ORDERED the following:

1. The STATUS CHECK scheduled for 5/9/2022 shall be VACATED.
2. An EVIDENTIARY HEARING re: Custody shall be SET for 8/16/2022 at 1:30 p.m.
3. Defendant's Motion to SET ASIDE Supervised VISITATION shall be DENIED. Defendant shall CONTINUE with SUPERVISED VISITATION and will NOT have to pay CHILD SUPPORT as long as she applies the monies towards her SUPERVISED VISITATION. Defendant's VISITATION times on Sundays shall be CHANGED to 4:00 p.m. through 6:00 p.m.

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4. Plaintiff's Motion to DECLARE Defendant a VEXATIOUS LITIGANT shall not be ordered at this time, however, the Court will REVIEW the matters and notices there are EXCESSIVE pleadings filed are filed for an upcoming hearing, the Court will ISSUE a MINUTE ORDER indicating whether or not it has merit. If it CONTINUES UNABATED, the Court will have to go the VEXATIOUS LITIGANT route.

5. ATTORNEY'S FEES shall be DEFERRED.

6. Random DRUG TESTING shall CONTINUE one per month with Plaintiff fronting the COSTS. Attorney Crome shall continue to notify Defendant via LETTER. If Defendant is informed before 10:00 a.m. she shall TEST the same day. If Defendant is informed after 10:00 a.m. she will have until 12:00 p.m. the next day. If Defendant is CLEAN twice in a row, she shall NOT be tested for the third and fourth month prior to trial.

7. Defendant shall to try to get LEGAL ASSISTANCE. Defendant shall PRESENT the COURT'S ORDER urging LEGAL AID to provide Defendant an attorney.

8. The PRIOR Order regarding the SSI FUNDS shall REMAIN the Order.

9. Parties shall COMMUNICATE through email through Attorney Crome's office regarding the minor child ONLY and are required to RESPOND to one another.

10. Defendant shall GET A JOB.

11. Defendant shall STAY AWAY from Plaintiff's home unless invited.

Attorney Crome shall prepare the order from today's hearing. A copy of the minutes shall be provided to all parties.

CLERK'S NOTE: Copies of these Hearing Minutes were provided to all parties. (4/20/2022 - mlc)

#### **INTERIM CONDITIONS:**

**FUTURE HEARINGS:** Aug 16, 2022 1:30PM Evidentiary Hearing  
Evidentiary Hearing: RE: Custody  
Courtroom 01 Henderson, Bill

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Child Custody Complaint**

**COURT MINUTES**

**May 18, 2022**

D-21-622669-C      Mario Opipari, Plaintiff.  
vs.  
Kymberlie Hurd, Defendant.

**May 18, 2022      1:00 PM      All Pending Motions -  
HM**

**HEARD BY:** Young, Jay

**COURTROOM:** Courtroom 08

**COURT CLERK:** Michelle Cunningham

**PARTIES:**

Azlynn Opipari, Subject Minor, not present  
Kymberlie Hurd, Defendant, Counter      Pro Se  
Claimant, present  
Mario Opipari, Plaintiff, Counter Defendant,      Chaka Crome, Attorney, present  
not present  
Regina McConnell, Unbundled Attorney, not  
present

**JOURNAL ENTRIES**

- PLAINTIFF'S MOTION TO STRIKE DEFENDANT'S ANSWER AND COUNTERCLAIM, TO DISALLOW DEFENDANT FROM CALLING ANY WITNESSES AND/OR USING ANY EXHIBITS AT TRIAL, FOR CONTEMPT AND RELATED RELIEF...DEFENDANT KYMBERLIE JOY HURD'S OPPOSITION TO PLAINTIFF'S MOTION TO STRIKE DEFENDANT'S ANSWER AND COUNTERCLAIM, TO DISALLOW DEFENDANT FROM CALLING ANY WITNESSES AND/OR USING ANY EXHIBITS AT TRIAL, FOR CONTEMPT AND RELATED RELIEF...PLAINTIFF'S MOTION FOR A PROTECTIVE ORDER REGARDING DEFENDANT'S SUBPOENA TO THE CITY OF HENDERSON...DEFENDANT KYMBERLIE JOY HURD'S OPPOSITION TO PLAINTIFF'S MOTION FOR A PROTECTIVE ORDER REGARDING DEFENDANT'S SUBPOENA TO THE CITY OF HENDERSON AND TO DISMISS PLAINTIFF'S MOTION IN ITS ENTIRETY

Court and Attorney Crome appeared via BLUEJEANS. Defendant appeared IN PERSON.

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COURT NOTED there are two (2) motions on today.

Court advised Attorney Crome it does not have the power to grant the Motion to Strike as that power rests with the District Court. Court stated it would be happy to hear Attorney Crome's argument on the matter but he is inclined to suggest he would deny the motion without prejudice and allow her to file it in front of the District Court. Attorney Crome represented they discussed it at the last hearing so it is just for the Protective Order they are here.

Court addressed the second motion which is the Protective Order regarding Subpoena that was sent to the City of Henderson regarding Plaintiff's employment records from 2017 and addressed the counterclaim. Court inquired as to what Defendant is seeking, noting Defendant's fear of the minor child being abused by the Plaintiff in some way but does not know that Defendant has made the nexus between the fear and the documents that she hopes to get from the City of Henderson.

Attorney Crome stated they are up to nineteen (19) pages of the docket in this case and addressed Defendant's harassment of Plaintiff and stated it is not germane to what they are trying to resolve in this case. Attorney Crome represented the Judge has advised Defendant on what she can do to work on herself, Defendant has not made any disclosures, and believes Defendant should receive sanctions pursuant to Rule 37. Attorney Crome stated Defendant still has not responded to discovery responses. Attorney Crome asked that their motion be granted and that she be able to submit memo for fees and costs.

Defendant addressed Plaintiff's termination and stated Plaintiff has a handful of sexual assault allegations. Defendant stated she has been asked four (4) times by Attorney Crome to produce documents that Plaintiff has assaulted women and that is what she is trying to do. Defendant further stated she has made offers with no response or counterclaims. In addition, Defendant stated she does not want the allegations to be true but this is one of the most credible sources for her to back up her claims. Court requested Defendant explain what she has done regarding the allegations and if there is a motion before the Court regarding custodial issues. Defendant confirmed there is an evidentiary hearing scheduled in August for custody issues.

Attorney Crome confirmed they are trying to prepare for trial, there are no witnesses, and the only thing provided was text messages from 2017. Attorney Crome stated it was not until after Plaintiff got emergency sole legal and sole physical custody and Defendant's drug test results came back bad did she start searching for anything to try and get an equal standing and it is unfair to her client as they do not even have initial disclosures. Attorney Crome addressed medication/Defendant's mental health and discussed Defendant's ability to provide discovery responses.

Defendant stated Counsel is fabricating a lot and making allegations that are a lot of hearsay and feels their daughter is in a toxic environment. Defendant addressed letters and emails between herself, Attorney Crome and her past attorney, Jason Stoffel. Defendant requested the allegations being made stop unless she has something substantial to prove it and addressed the Facebook post provided by Attorney Crome.

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Court advised Defendant it would not allow the subpoena to go forward, as Defendant has not shown the information is relevant and proportional to any claim or defense and has suggested but not pursued a theory that Plaintiff is a sexual predator. Had Defendant engaged in meaningful discovery, the Court might have had enough information that it would allow Plaintiff to obtain the documents and would do an in camera review and, if appropriate, he would have a Protective Order for the use of the documents as that is highly personal information and Defendant has given the Court no avenue to assist her. Because Defendant has refused to engaged in discovery, she has failed to meet the burden required to prevail on the motion.

Following further discussions and arguments, DISCOVERY COMMISSIONER made its FINDINGS and RECOMMENDED, the following:

1. Plaintiff's Motion to STRIKE is DENIED WITHOUT PREJUDICE.
2. Plaintiff's Motion for a Protective Order RE: the SUBPOENA is GRANTED.
3. Attorney Crome shall prepare and submit the REPORT and RECOMMENDATION (R&R) and share it with Defendant. Defendant will have forty-eight (48) hours to REVIEW the R&R and APPROVE it as to FORM and CONTENT. If Defendant FAILS to avail herself of that opportunity, Attorney Crome may submit the R&R WITHOUT Defendant's signature. Attorney Crome shall have until 6/1/2022 to return the R&R to the Court.
4. A STATUS HEARING re: Submission of Report & Recommendation shall be SET for 6/8/2022 at 1:30 PM. If the R&R is submitted, there shall be NO need to APPEAR and the matter shall be taken OFF CALENDAR.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:** Jun 08, 2022 1:30PM Status Check - HM  
Submission of Report and Recommendation  
Courtroom 08 Young, Jay

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# 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; CERTIFICATE OF SERVICE; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER; NOTICE OF ENTRY OF ORDER REGARDING HEARING ON APRIL 19, 2022; DISTRICT COURT MINUTES

MARIO OPIPARI,

Plaintiff(s),

vs.

KYMBERLIE HURD aka KYMBERLIE JOY HURD,

Defendant(s),

Case No: D-21-622669-C

Dept No: R

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 25 day of May 2022.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk