

1 **NOAS**  
2 **CINEMA GREENBERG, ESQ.**  
3 Nevada Bar No. 8477  
4 **LAW OFFICE OF CINEMA GREENBERG**  
5 6930 S. Cimarron Road, Suite 140  
6 Las Vegas, Nevada 89113  
7 TEL: 702-324-7741  
8 FAX: 702-628-9884  
9 E-mail: [atlaattorney@yahoo.com](mailto:atlaattorney@yahoo.com)  
10 *Attorney for Silvia Gastelum*

Electronically Filed  
Jun 20 2022 10:55 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

7 **FRED PAGE, ESQ.**  
8 Nevada Bar No. 6080  
9 6930 S. Cimarron Road, Suite 140  
10 Las Vegas, Nevada 89113  
11 TEL: 702-823-2888  
12 Email: [fpage@pagelawoffices.com](mailto:fpage@pagelawoffices.com)  
13 *Attorney for Sylvia Gastelum*

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

14 **SILVIA GASTELUM,**  
15 **Plaintiff,**  
16  
17 **vs.**  
18 **SERGIO GASTELUM,**  
19 **Defendants.**

D-09-422783-Z  
Case No. ~~D-09-442783-Z~~  
Dept. E

21 **NOTICE OF APPEAL**

23 **NOTICE HEREBY IS GIVEN** that the Plaintiff **SILVIA**  
24 **GASTELUM**, by and through her attorneys, Cinema Greenberg, Esq. and Fred  
25 **Page, Esq.**, **HEREBY APPEALS** to the Supreme Court of the State of Nevada from  
26 **the final JUDGMENT**; specifically, as follows:  
27  
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1 1. Order Denying Plaintiff's Motion to Modify Decree Under Nevada Rule of  
2 Civil Procedure 60 (a) to Correct a Clerical Error, and Correct the  
3 Community Property Order Notice, entered and filed on May 5, 2022, and  
4 Written Notice of Entry of said order was filed and served on May 16,  
5 2022; and  
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7  
8 2. Order granting Defendant's Memorandum of Attorney's Fees and Costs,  
9 and Affidavit of Fees, filed and entered on May 31, 2022, with Written  
10 Notice of Entry of said Order filed and served on May 31, 2022.  
11

12 DATED this 14th day of June 2022.

13 *Respectfully Submitted by:*  
14 LAW OFFICE OF CINEMA GREENBERG

15  
16 /s/ Cinema Greenberg, Esq.  
17 CINEMA GREENBERG, ESQ.  
18 Nevada Bar No. 8477  
19 6930 S. Cimarron Road, Suite 140  
20 Las Vegas, Nevada 89113  
21 TEL: 702-324-7741  
22 FAX: 702-628-9884  
23 E-mail: atlaattorney@yahoo.com  
24 *Attorney for SILVIA GASTELUM*  
25  
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**CASE SUMMARY****CASE NO. D-09-422783-Z****In the Matter of the Joint Petition for Divorce of:  
Silvia Gastelum and Sergio Gastelum**§  
§  
§  
§Location: **Department E**  
Judicial Officer: **Hoskin, Charles J.**  
Filed on: **12/18/2009****CASE INFORMATION****Statistical Closures**05/31/2022 Settled/Withdrawn Without Judicial Conference or Hearing  
05/05/2022 Settled/Withdrawn With Judicial Conference or Hearing  
12/24/2009 Decision without Trial / HearingCase Type: **Divorce - Joint Petition**  
Subtype: **Joint Petition Subject Minor(s)**Case Status: **05/31/2022 Closed**Case Flags: **Order / Decree Logged Into  
Department  
Proper Person Documents  
Mailed  
Appealed to Supreme Court  
Filing Fee Balance Due  
\$154. Pltf. 3/8/22.****DATE****CASE ASSIGNMENT****Current Case Assignment**Case Number D-09-422783-Z  
Court Department E  
Date Assigned 01/02/2018  
Judicial Officer Hoskin, Charles J.**PARTY INFORMATION****Petitioner****Gastelum, Sergio**  
1000 Smith ST  
Las Vegas, NV 89108*Attorneys***Pro Se**




702-813-9981(H)

**Gastelum, Silvia**  
1000 Smith ST  
Las Vegas, NV 89108**Pro Se**

702-429-1712(H)







**Greenberg, Cinema I.***Retained*

702-324-7741(W)

**Subject Minor****Gastelum, Abraham****Gastelum, Jose****Gastelum, Leslie****DATE****EVENTS & ORDERS OF THE COURT****EVENTS**12/18/2009  Joint Petition for Summary Decree of Divorce  
[1]  
12/18/2009  Notice of Seminar Completion EDCR 5.07  
Filed by: Petitioner Gastelum, Silvia  
[2]  
12/18/2009  Notice of Seminar Completion EDCR 5.07  
Filed by: Petitioner Gastelum, Sergio  
[3]








# CASE SUMMARY

CASE NO. D-09-422783-Z


12/18/2009	 Affidavit of Resident Witness Filed by: Petitioner Gastelum, Silvia [4]
12/24/2009	 Decree of Divorce Filed by: Petitioner Gastelum, Silvia; Petitioner Gastelum, Sergio [5]
01/02/2018	Administrative Reassignment to Department E <i>Case Reassignment from Judge Bryce C. Duckworth Dept Q</i>
03/07/2022	 Family Court Motion Opposition Fee Information Sheet Filed by: Petitioner Gastelum, Silvia [6] <i>Motion/Opposition Fee Information Sheet</i>
03/07/2022	 Family Court Motion Opposition Fee Information Sheet Filed by: Petitioner Gastelum, Silvia [7] <i>Motion/Opposition Fee Information Sheet</i>
03/07/2022	 Exhibits Filed By: Petitioner Gastelum, Silvia [8] <i>Appendix of Exhibits in Support of Plaintiff's Motion and Countermotion</i>
03/07/2022	 Motion Filed By: Petitioner Gastelum, Silvia [9] <i>Plaintiff's Motion to Modify Decree Under Nevada Rule of Civil Procedure 60(a) to Correct a Clerical Error, and Correct the Community Property Order Notice</i>
03/08/2022	 Notice of Hearing [10] <i>Notice of Hearing</i>
03/24/2022	 Notice of Appearance [11] <i>Notice of Appearance</i>
03/24/2022	 Opposition and Countermotion Filed By: Petitioner Gastelum, Sergio Party 2: Petitioner Gastelum, Silvia [12] <i>Defendant's Opposition to Plaintiff's Motion and Countermotion for Defendant's Attorney's Fees and Costs</i>
03/24/2022	 Certificate of Service [13] <i>Certificate of Service</i>
04/18/2022	 Reply Filed By: Petitioner Gastelum, Silvia [14] <i>Plaintiff's Reply to Defendant's Opposition to Plaintiff's Motion to Modify Decree Under NRCP 60(a) To Correct Clerical Error</i>
05/05/2022	 Order [15] <i>Order from April 21, 2022 Hearing</i>
05/16/2022	 Memorandum [16] <i>Memorandum of Fees and Costs</i>
05/16/2022	 Certificate of Service [17] <i>Certificate of Service</i>
05/16/2022	 Notice of Entry of Order [18] <i>Notice of Entry of Order</i>
05/16/2022	 Certificate of Service [19] <i>Certificate of Service</i>
05/22/2022	 Opposition Filed By: Petitioner Gastelum, Silvia [20] <i>Plaintiff's Opposition to Defendant's Memorandum of Fees and Costs</i>

# CASE SUMMARY

CASE NO. D-09-422783-Z

- 05/30/2022  Reply  
Filed By: Petitioner Gastelum, Sergio  
*[21] Defendant's Response to Plaintiff's Opposition to Defendant's Memorandum of Fees and Costs*
- 05/30/2022  Certificate of Service  
*[22] Certificate of Service*
- 05/31/2022  Order  
*[23] Order from April 21, 2022 Hearing Re: Attorney's Fees*
- 05/31/2022  Notice of Entry of Order  
Filed By: Petitioner Gastelum, Sergio  
*[24] Notice of Entry of Order*
- 05/31/2022  Certificate of Service  
Filed by: Petitioner Gastelum, Sergio  
*[25] Certificate of Service*
- 05/31/2022  Notice of Withdrawal  
*[26] Notice of Withdrawal*
- 06/14/2022  Notice of Appeal  
Filed By: Petitioner Gastelum, Silvia  
*[27] Notice of Appeal*

## HEARINGS

- 04/21/2022 **Motion** (9:00 AM) (Judicial Officer: Hoskin, Charles J.)  
*Plaintiff's Motion to Modify Decree Under Nevada Rule of Civil Procedure 60(a) to Correct a Clerical Error, and Correct the Community Property Order Notice*  
Denied; See All Pending 04/21/22  
*Denied*
- 04/21/2022 **Opposition & Countermotion** (9:00 AM) (Judicial Officer: Hoskin, Charles J.)  
*Defendant's Opposition to Plaintiff's Motion and Countermotion for Defendant's Attorney's Fees and Costs*  
Granted; See All Pending 04/21/22  
*Granted*
- 04/21/2022  **All Pending Motions** (9:00 AM) (Judicial Officer: Hoskin, Charles J.)

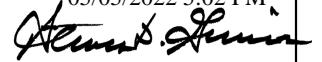
## MINUTES

Matter Heard;

Journal Entry Details:

*PLAINTIFF'S MOTION TO MODIFY DECREE UNDER NEVADA RULE OF CIVIL PROCEDURE 60 (A) TO CORRECT A CLERICAL ERROR, AND CORRECT THE COMMUNITY PROPERTY ORDER NOTICE...DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION AND COUNTERMOTION FOR DEFENDANT'S ATTORNEY'S FEES AND COSTS. Due to the Administrative Order, this matter was heard via VIDEO CONFERENCE through the BlueJeans application. Defendant was present via BlueJeans. All other parties were present in the courtroom. Cinema Greenberg Bar #: 8477 was present for Plaintiff. Soledad Garcia interpreter for Plaintiff was present via BlueJeans. Court reviewed case and noted the decree was signed and entered in 2009 indicating there were no community property. Upon inquiry, Mr. Greenberg stated parties' divorce decree was prepared by a paralegal service and not an attorney. The paralegal failed to list the marital residence as a community asset on the decree and therefore moves the Court to correct the decree. Ms. Rosenblum argued there was no mistake by the Court, the house was not an omitted asset, and issue was not brought before the court within a reasonable time; Plaintiff clearly knew of the asset at the time of marriage. Counsel moved the Court to deny Plaintiff's Motion and grant attorney's fees. COURT ORDERED: 1. Court did not find a basis to take another look at the Divorce Decree therefore Plaintiff's Motion to Modify Decree is DENIED. Both parties made a representation in 2009 that there was no community property or community debt to be divided. Asset was not hidden or fraudulently concealed by either party. 2. Some attorney's fees will be awarded to Ms. Rosenblum under 18.010. The Court directed Ms. Rosenblum to submit a Brunzell Affidavit and Memorandum of Fees and Costs leaving a blank in the order for the Court to enter an amount. Said amount shall be REDUCED to JUDGEMENT collectable by any legal means bearing the legal rate of interest until paid in full.;*

Matter Heard

  
CLERK OF THE COURT

**ORDR**  
**ROSENBLUM ALLEN LAW FIRM**  
**MOLLY ROSENBLUM, ESQ.**

Nevada Bar No. 08242  
376 E. Warm Springs Rd; Ste: 140  
Las Vegas, NV 891119  
(702) 433-2889—Phone  
(702) 425-9642—Fax  
Email: [staff@rosenblumlawlv.com](mailto:staff@rosenblumlawlv.com)  
Attorney for Defendant

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

**SILVIA GASTELUM,**  
Plaintiff,  
  
vs.  
**SERGIO GASTELUM,**  
Defendant.

Case No.: **D-09-422783-Z**  
Dept. No.: **E**

**ORDER**

This matter having been heard via video conference hearing through the Bluejeans application by the Court on April 21, 2022, for *Plaintiff's Motion to Modify Decree Under Nevada Rule of Civil Procedure 60 (A) to Correct a Clerical Error, and Correct the Community Property Order Notice... Defendant's Opposition to Plaintiff's Motion for Defendant's Attorney's Fees and Costs*, and the Defendant, **SERGIO GASTELUM**, being represented by Molly Rosenblum, Esq., of the Rosenblum Allen Law Firm, and Defendant, **SILVIA GASTELUM**, being represented by Cinema I. Greenberg, Esq., of the Law Office of Cinema Greenberg and the Court makes the following findings and orders:

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1 order for the Court to enter an amount. Said amount shall be REDUCED to  
2 JUDGEMENT collectable by any legal means bearing the legal rate of interest  
3 until paid in full.

4 **IT IS FURTHER ORDERED** that attorney Rosenblum shall prepare the  
5 order from today's hearing; Attorney Greenberg shall review and countersign.

6 Dated this 5th day of May, 2022

7   
8 \_\_\_\_\_  
9 lls

10 **A78 A72 2030 E20F**  
11 **Charles J. Hoskin**  
12 **District Court Judge**

13 Submitted by:  
14 **ROSENBLUM ALLEN LAW FIRM**

15 Approved as to form and content  
16 **LAW OFFICE OF CINEMA**  
17 **GREENBERG**

18   
19 \_\_\_\_\_

20 **MOLLY ROSENBLUM, ESQ.**  
21 Nevada Bar No. 08242  
22 376 Warm Springs Rd., Suite 140  
23 Las Vegas, NV 89119  
24 (702) 433-2889—Phone  
25 Email: [staff@rosenblumlawlv.com](mailto:staff@rosenblumlawlv.com)  
26 Attorney for Defendant

27 /s/ Cinema Greenberg  
28 \_\_\_\_\_

29 **CINEMA GREENBERG, ESQ.**  
30 Nevada Bar No. 8477  
31 6930 S. Cimarron Road, Suite 140  
32 Las Vegas, NV 89133  
33 (702) 324-7741 Phone  
34 Email: [atlaattorney@yahoo.com](mailto:atlaattorney@yahoo.com)  
35 Attorney for Plaintiff

**From:** [Cinema Greenberg](#)  
**To:** [David Barragan](#)  
**Subject:** Re: Proposed Order -- Approval of Electronic Signature  
**Date:** Thursday, May 5, 2022 12:19:15 PM

---

Hi David!

You may insert my electronic signature on the decree. Thanks.

Cinema  
702-324-7741

On Friday, April 29, 2022, 09:17:06 AM PDT, David Barragan <david@rosenblumlawlv.com> wrote:

Mr. Greenberg,

Attached please find the Proposed Order with court minutes for your review and signature. If we don't hear from you by the end of the day on Friday May 6, 2022, we will submit the order to court without your signature.

Should you have any questions, please do not hesitate to contact this office.

Thank you.

David Barragan  
Paralegal  
Rosenblum Law Offices  
376 E. Warm Springs Rd., Suite 140  
Las Vegas, Nevada 89119  
T: (702) 433-2889  
F: (702) 425-9642  
Email: [david@rosenblumlawlv.com](mailto:david@rosenblumlawlv.com)

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

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6 In the Matter of the Joint Petition CASE NO: D-09-422783-Z  
for Divorce of:  
7  
8 Silvia Gastelum and Sergio  
Gastelum  
9

DEPT. NO. Department E

10  
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 5/5/2022

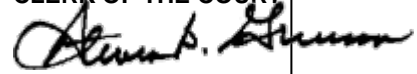
15 Cinema Greenberg

atlaattorney@yahoo.com

16  
17 If indicated below, a copy of the above mentioned filings were also served by mail  
18 via United States Postal Service, postage prepaid, to the parties listed below at their last  
known addresses on 5/6/2022

19 Molly Rosenblum

376 E Warm Springs RD STE #140  
Las Vegas, NV, 89119



1 **NEO**  
2 **ROSENBLUM ALLEN LAW FIRM**  
3 **MOLLY ROSENBLUM, ESQ.**

4 Nevada Bar No. 08242  
5 376 E. Warm Springs Rd; Ste: 140  
6 Las Vegas, NV 891119  
7 (702) 433-2889—Phone  
8 (702) 425-9642—Fax  
9 Email: [staff@rosenblumlawlv.com](mailto:staff@rosenblumlawlv.com)  
10 Attorney for Defendant

11 **DISTRICT COURT—FAMILY DIVISION**  
12 **CLARK COUNTY, NEVADA**

13 **SILVIA GASTELUM,**

14 Plaintiff,

15 vs.

16 **SERGIO GASTELUM,**

17 Defendant.

Case No.: **D-09-422783-Z**

Dept. No.: **E**

18 **NOTICE OF ENTRY OF ORDER**

19 Please take notice that the Order, attached hereto, was entered in the above-  
20 entitled action on the **Thursday, May 05, 2022.**

21 ///

22 ///

23 ///

1 Dated this **Monday, May 16, 2022**

2 ///

3 Submitted by:

4 **ROSENBLUM ALLEN LAW FIRM**

5 

7 **MOLLY ROSENBLUM, ESQ.**

8 Nevada Bar No. 08242

9 376 E Warm Springs Road, Suite 140

10 Las Vegas, NV 89119

11 (702) 433-2889—Phone

(702) 425-9642—Fax

Email: [staff@rosenblumlawlv.com](mailto:staff@rosenblumlawlv.com)

12 Attorney for Defendant

**ORDER**  
**ROSENBLUM ALLEN LAW FIRM**  
**MOLLY ROSENBLUM, ESQ.**

Nevada Bar No. 08242  
376 E. Warm Springs Rd; Ste: 140  
Las Vegas, NV 891119  
(702) 433-2889—Phone  
(702) 425-9642—Fax  
Email: [staff@rosenblumlawlv.com](mailto:staff@rosenblumlawlv.com)  
Attorney for Defendant

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

**SILVIA GASTELUM,**  
Plaintiff,  
  
vs.  
**SERGIO GASTELUM,**  
Defendant.

Case No.: **D-09-422783-Z**  
Dept. No.: **E**

**ORDER**

This matter having been heard via video conference hearing through the Bluejeans application by the Court on April 21, 2022, for *Plaintiff's Motion to Modify Decree Under Nevada Rule of Civil Procedure 60 (A) to Correct a Clerical Error, and Correct the Community Property Order Notice... Defendant's Opposition to Plaintiff's Motion for Defendant's Attorney's Fees and Costs*, and the Defendant, **SERGIO GASTELUM**, being represented by Molly Rosenblum, Esq., of the Rosenblum Allen Law Firm, and Defendant, **SILVIA GASTELUM**, being represented by Cinema I. Greenberg, Esq., of the Law Office of Cinema Greenberg and the Court makes the following findings and orders:

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1 order for the Court to enter an amount. Said amount shall be REDUCED to  
2 JUDGEMENT collectable by any legal means bearing the legal rate of interest  
3 until paid in full.

4 **IT IS FURTHER ORDERED** that attorney Rosenblum shall prepare the  
5 order from today's hearing; Attorney Greenberg shall review and countersign.

6 Dated this 5th day of May, 2022

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9 lls

10 **A78 A72 2030 E20F**  
11 **Charles J. Hoskin**  
12 **District Court Judge**

13 Submitted by:  
14 **ROSENBLUM ALLEN LAW FIRM**

Approved as to form and content  
15 **LAW OFFICE OF CINEMA**  
16 **GREENBERG**

17 

18 **MOLLY ROSENBLUM, ESQ.**  
19 Nevada Bar No. 08242  
20 376 Warm Springs Rd., Suite 140  
21 Las Vegas, NV 89119  
22 (702) 433-2889—Phone  
23 Email: [staff@rosenblumlawlv.com](mailto:staff@rosenblumlawlv.com)  
24 Attorney for Defendant

/s/ Cinema Greenberg  
25 **CINEMA GREENBERG, ESQ.**  
26 Nevada Bar No. 8477  
27 6930 S. Cimarron Road, Suite 140  
28 Las Vegas, NV 89133  
(702) 324-7741 Phone  
Email: [atlaattorney@yahoo.com](mailto:atlaattorney@yahoo.com)  
Attorney for Plaintiff



**From:** [Cinema Greenberg](#)  
**To:** [David Barragan](#)  
**Subject:** Re: Proposed Order -- Approval of Electronic Signature  
**Date:** Thursday, May 5, 2022 12:19:15 PM

---

Hi David!

You may insert my electronic signature on the decree. Thanks.

Cinema  
702-324-7741

On Friday, April 29, 2022, 09:17:06 AM PDT, David Barragan <david@rosenblumlawlv.com> wrote:

Mr. Greenberg,

Attached please find the Proposed Order with court minutes for your review and signature. If we don't hear from you by the end of the day on Friday May 6, 2022, we will submit the order to court without your signature.

Should you have any questions, please do not hesitate to contact this office.

Thank you.

David Barragan  
Paralegal  
Rosenblum Law Offices  
376 E. Warm Springs Rd., Suite 140  
Las Vegas, Nevada 89119  
T: (702) 433-2889  
F: (702) 425-9642  
Email: [david@rosenblumlawlv.com](mailto:david@rosenblumlawlv.com)

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 In the Matter of the Joint Petition CASE NO: D-09-422783-Z  
for Divorce of:  
7  
8 Silvia Gastelum and Sergio  
Gastelum  
9

DEPT. NO. Department E

10  
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 5/5/2022

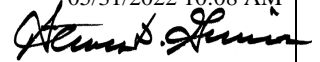
15 Cinema Greenberg

atlaattorney@yahoo.com

16  
17 If indicated below, a copy of the above mentioned filings were also served by mail  
18 via United States Postal Service, postage prepaid, to the parties listed below at their last  
known addresses on 5/6/2022

19 Molly Rosenblum

376 E Warm Springs RD STE #140  
Las Vegas, NV, 89119

  
CLERK OF THE COURT

**ORDER**  
**ROSENBLUM ALLEN LAW FIRM**  
**MOLLY ROSENBLUM, ESQ.**

Nevada Bar No. 08242  
376 E Warm Springs Rd., Suite 140  
Las Vegas, NV 89119  
(702) 433-2889—Phone  
(702) 425-9642—Fax  
Email: [staff@rosenblumlawlv.com](mailto:staff@rosenblumlawlv.com)  
Attorney for Defendant

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

**SILVIA GASTELUM,**  
Plaintiff,  
  
vs.  
**SERGIO GASTELUM,**  
Defendant.

Case No.: **D-09-422783-Z**  
Dept. No.: **E**

**ORDER**

21, 2022

The matter having come before the Court on April ~~14, 2021~~, and the Court and having reviewed the Defendant's Memorandum of Fees and Costs, and Affidavit of Fees including her *Brunzell* analysis, and Defendant's Response. Therefore, the Court makes the following findings and conclusions:

THE COURT FINDS that the Defendant was the predominantly prevailing party in this litigation.


THE COURT FINDS that the Defendant has satisfied the factors set forth in *Brunzell vs. Golden Gate National Bank* and *Miller vs. Wilfong*, to-wit: the quality of the advocates are undisputed, the myriad of allegations required skill and time on the part of the Defendant's <sup>1</sup>counsel and the work actually performed

1 on behalf of the Defendant was, to a large extent appropriate in light of the  
2 evidence presented.

3 THEREFORE, having found that the Defendant satisfied the factors set  
4 forth in the *Brunzell* and *Miller cases*, the court hereby orders as follows:

5 IT IS HEREBY ORDERED that the Defendant is awarded attorney fees  
6 and costs in the amount of \$ 1,448.00. Said amount is reduced to  
7 judgment and collectable by any and all lawful means against the Plaintiff.  
8

9  
10 Dated this 31st day of May, 2022

11   
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13 CC

14 329 182 2924 C01B  
15 Charles J. Hoskin  
16 District Court Judge

17 Submitted by:

18   
19  
20

21 **MOLLY ROSENBLUM, ESQ.**

22 Nevada Bar No. 08242

23 376 E Warm Springs Rd., Suite 140

24 Las Vegas, NV 89119

(702) 433-2889—Phone

(702) 425-9642—Fax

25 Email: [staff@rosenblumlawlv.com](mailto:staff@rosenblumlawlv.com)

26 Attorney for Defendant  
27  
28

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

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

7 Silvia Gastelum and Sergio  
8 Gastelum

CASE NO: D-09-422783-Z

DEPT. NO. Department E

9  
10  
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

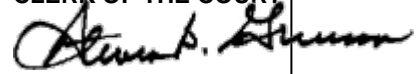
14 Service Date: 5/31/2022

15 Rosenblum Law Offices

staff@rosenblumlawlv.com

16 Cinema Greenberg

atlaattorney@yahoo.com



1 **NEO**  
2 **ROSENBLUM ALLEN LAW FIRM**  
3 **MOLLY ROSENBLUM, ESQ.**

4 Nevada Bar No. 08242  
5 376 E. Warm Springs Rd; Ste: 140  
6 Las Vegas, NV 891119  
7 (702) 433-2889—Phone  
8 (702) 425-9642—Fax  
9 Email: [staff@rosenblumlawlv.com](mailto:staff@rosenblumlawlv.com)  
10 Attorney for Defendant

11 **DISTRICT COURT—FAMILY DIVISION**  
12 **CLARK COUNTY, NEVADA**

13 **SILVIA GASTELUM,**

14 Plaintiff,

15 vs.

16 **SERGIO GASTELUM,**

17 Defendant.

Case No.: **D-09-422783-Z**

Dept. No.: **E**

18 **NOTICE OF ENTRY OF ORDER**

19 Please take notice that the Order, attached hereto, was entered in the above-  
20 entitled action on the **Tuesday, May 31, 2022.**

21 ///

22 ///

23 ///

1 Dated this **Tuesday, May 31, 2022**

2 ///

3 Submitted by:

4 **ROSENBLUM ALLEN LAW FIRM**

5 

7 **MOLLY ROSENBLUM, ESQ.**

8 Nevada Bar No. 08242

9 376 E Warm Springs Road, Suite 140

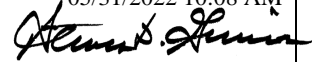
10 Las Vegas, NV 89119

11 (702) 433-2889—Phone

(702) 425-9642—Fax

Email: [staff@rosenblumlawlv.com](mailto:staff@rosenblumlawlv.com)

12 Attorney for Petitioner

  
CLERK OF THE COURT

**ORDER**  
**ROSENBLUM ALLEN LAW FIRM**  
**MOLLY ROSENBLUM, ESQ.**

Nevada Bar No. 08242  
376 E Warm Springs Rd., Suite 140  
Las Vegas, NV 89119  
(702) 433-2889—Phone  
(702) 425-9642—Fax  
Email: [staff@rosenblumlawlv.com](mailto:staff@rosenblumlawlv.com)  
Attorney for Defendant

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

**SILVIA GASTELUM,**  
Plaintiff,  
  
vs.  
**SERGIO GASTELUM,**  
Defendant.

Case No.: **D-09-422783-Z**  
Dept. No.: **E**

**ORDER**

21, 2022

The matter having come before the Court on April ~~14, 2021~~, and the Court and having reviewed the Defendant's Memorandum of Fees and Costs, and Affidavit of Fees including her *Brunzell* analysis, and Defendant's Response. Therefore, the Court makes the following findings and conclusions:

THE COURT FINDS that the Defendant was the predominantly prevailing party in this litigation.

THE COURT FINDS that the Defendant has satisfied the factors set forth in *Brunzell vs. Golden Gate National Bank* and *Miller vs. Wilfong*, to-wit: the quality of the advocates are undisputed, the myriad of allegations required skill and time on the part of the Defendant's <sup>1</sup>counsel and the work actually performed



1 on behalf of the Defendant was, to a large extent appropriate in light of the  
2 evidence presented.

3 THEREFORE, having found that the Defendant satisfied the factors set  
4 forth in the *Brunzell* and *Miller cases*, the court hereby orders as follows:

5 IT IS HEREBY ORDERED that the Defendant is awarded attorney fees  
6 and costs in the amount of \$ 1,448.00. Said amount is reduced to  
7 judgment and collectable by any and all lawful means against the Plaintiff.  
8

9  
10 Dated this 31st day of May, 2022

11   
12  
13 CC

14 329 182 2924 C01B  
15 Charles J. Hoskin  
16 District Court Judge

17 Submitted by:

18   
19  
20

21 **MOLLY ROSENBLUM, ESQ.**

22 Nevada Bar No. 08242

23 376 E Warm Springs Rd., Suite 140

24 Las Vegas, NV 89119

(702) 433-2889—Phone

(702) 425-9642—Fax

25 Email: [staff@rosenblumlawlv.com](mailto:staff@rosenblumlawlv.com)

26 Attorney for Defendant  
27  
28

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

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

7 Silvia Gastelum and Sergio  
8 Gastelum

CASE NO: D-09-422783-Z

DEPT. NO. Department E

9  
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14 Service Date: 5/31/2022

15 Rosenblum Law Offices

staff@rosenblumlawlv.com

16 Cinema Greenberg

atlaattorney@yahoo.com

DISTRICT COURT  
CLARK COUNTY, NEVADA

Divorce - Joint Petition

COURT MINUTES

April 21, 2022

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D-09-422783-Z In the Matter of the Joint Petition for Divorce of:  
Silvia Gastelum and Sergio Gastelum

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April 21, 2022 09:00 AM All Pending Motions

HEARD BY: Hoskin, Charles J. COURTROOM: Courtroom 02

COURT CLERK: Leal Santillan, Luz

## PARTIES PRESENT:

Silvia Gastelum, Petitioner, Present

Cinema I. Greenberg, Attorney, Present  
Pro Se

Sergio Gastelum, Petitioner, Present

Molly S. Rosenblum, Attorney, Present

Jose Gastelum, Subject Minor, Not Present

Abraham Gastelum, Subject Minor, Not Present

Leslie Gastelum, Subject Minor, Not Present

## JOURNAL ENTRIES

PLAINTIFF'S MOTION TO MODIFY DECREE UNDER NEVADA RULE OF CIVIL PROCEDURE 60 (A) TO CORRECT A CLERICAL ERROR, AND CORRECT THE COMMUNITY PROPERTY ORDER NOTICE...DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION AND COUNTERMOTION FOR DEFENDANT'S ATTORNEY'S FEES AND COSTS.

Due to the Administrative Order, this matter was heard via VIDEO CONFERENCE through the BlueJeans application.

Defendant was present via BlueJeans. All other parties were present in the courtroom. Cinema Greenberg Bar #: 8477 was present for Plaintiff.

Soledad Garcia interpreter for Plaintiff was present via BlueJeans.

Court reviewed case and noted the decree was signed and entered in 2009 indicating there were no community property.

Upon inquiry, Mr. Greenberg stated parties' divorce decree was prepared by a paralegal service and not an attorney. The paralegal failed to list the marital residence as a community asset on the decree and therefore moves the Court to correct the decree.

Ms. Rosenblum argued there was no mistake by the Court, the house was not an omitted asset, and issue was not brought before the court within a reasonable time; Plaintiff clearly knew of the asset at the time of marriage. Counsel moved the Court to deny Plaintiff's Motion and grant attorney's fees.

## COURT ORDERED:

1. Court did not find a basis to take another look at the Divorce Decree therefore Plaintiff's Motion to Modify Decree is DENIED. Both parties made a representation in 2009 that there was no community

property or community debt to be divided. Asset was not hidden or fraudulently concealed by either party.

2. Some attorney's fees will be awarded to Ms. Rosenblum under 18.010. The Court directed Ms. Rosenblum to submit a Brunzell Affidavit and Memorandum of Fees and Costs leaving a blank in the order for the Court to enter an amount. Said amount shall be REDUCED to JUDGEMENT collectable by any legal means bearing the legal rate of interest until paid in full.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE  
**NOTICE OF DEFICIENCY**  
ON APPEAL TO NEVADA SUPREME COURT

**CINEMA GREENBERG, ESQ.**  
**6930 S. CIMARRON RD., SUITE 140**  
**LAS VEGAS, NV 89113**

**DATE: June 16, 2022**  
**CASE: D-09-422783-Z**

**RE CASE:** In the Matter of the Joint Petition for Divorce of: SILVIA GASTELUM and SERGIO GASTELUM

NOTICE OF APPEAL FILED: June 14, 2022

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

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

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

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

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

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

---

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

# Certification of Copy

State of Nevada }  
County of Clark } SS:

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

NOTICE OF APPEAL; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER; NOTICE OF ENTRY OF ORDER; ORDER; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

In the Matter of the Joint Petition for Divorce of:

SILVIA GASTELUM and SERGIO  
GASTELUM,

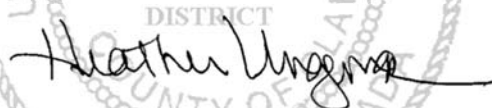
Case No: D-09-422783-Z

Dept No: E

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 16 day of June 2022.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

