

1                   **IN THE SUPREME COURT OF THE STATE OF NEVADA**

2  
3           HERMAN WILLIAMS,

4                   Appellant,

5           vs.

6           NADINE WILLIAMS,

7                   Respondent.

No.: 83263

**APPELLANT'S APPENDIX**  
**Volume 2**

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CLERK OF COURT

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TRANS

EIGHTH JUDICIAL DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA

NADINE ALECIA WILLIAMS, )  
Plaintiff, )  
vs. )  
HERMAN GEORGE WILLIAMS, )  
Defendant. )

CASE NO. D-16-586291-D  
DEPT. I  
APPEAL NO. 83263  
(SEALED)

BEFORE THE HONORABLE CHERYL MOSS  
DISTRICT COURT JUDGE

TRANSCRIPT RE: ALL PENDING MOTIONS

MONDAY, JULY 22, 2019

APPEARANCES:

The Plaintiff:	NADINE ALECIA WILLIAMS
For the Plaintiff:	PRO SE
The Defendant:	HERMAN GEORGE WILLIAMS
For the Defendant:	PRO SE

1 LAS VEGAS, NEVADA

MONDAY, JULY 22, 2019

2 P R O C E E D I N G S

3 (THE PROCEEDINGS BEGAN AT 12:57:28)

4

5 THE COURT: All right. This is a sealed case,

6 Martin, so this is case D-586291. Are you Nadine?

7 THE PLAINTIFF: Yes.

8 THE COURT: And you are Herman?

9 THE DEFENDANT: Yes.

10 THE COURT: I need both of you to stand, raise your  
11 right hands. Going to have you both sworn in.

12 THE CLERK: You and each of you do solemnly swear  
13 the testimony you are about to give in this action shall be  
14 the truth, the whole truth, and nothing but the truth, so help  
15 you, God?

16 THE PLAINTIFF: Yes.

17 THE DEFENDANT: Yes.

18 THE COURT: Okay. You may be seated. You've got  
19 three -- four children, 14-and-a-half, six, 10-and-a-half,  
20 nine. Close enough?

21 THE PLAINTIFF: Yes.

22 THE COURT: Okay. And we got CPS records here.  
23 Mom, you are appealing that; are you not?

24 THE PLAINTIFF: Yes, ma'am.

1 THE COURT: Is that going to affect your -- are you  
2 a nurse?

3 THE PLAINTIFF: Yes, ma'am.

4 THE COURT: You're RN?

5 THE PLAINTIFF: Yes, ma'am.

6 THE COURT: For -- a registered nurse?

7 THE PLAINTIFF: Registered nurse.

8 THE COURT: And it's going to affect your --

9 THE PLAINTIFF: Yes.

10 THE COURT: -- employment. And they substantiated  
11 it? Which girl? Abigail, the oldest?

12 THE PLAINTIFF: Yes.

13 THE COURT: Claims there was physical abuse?

14 THE PLAINTIFF: Yes.

15 THE COURT: And -- but CPS substantiated it, and so  
16 you're appealing that.

17 THE PLAINTIFF: I am appealing it.

18 THE COURT: Yeah. Okay. I need to -- I will find  
19 out what happens with that, but in the meantime, because I  
20 have a substantiated, temporarily, unless you get that  
21 reversed on the appeal, or you have a right to go to trial on  
22 this, custody's going to be at issue. But right now, where  
23 are the kids? With Dad?

24 THE DEFENDANT: Yes.



1 THE COURT: And does Mom have -- did the TPO judge  
2 -- you both filed TPOs on each other, and they were both  
3 denied; were they not?

4 THE PLAINTIFF: Ma'am, I've never filed a TPO --

5 THE DEFENDANT: I filed them.

6 THE COURT: I see three of them.

7 THE DEFENDANT: I filed all three of them.

8 THE COURT: Was it for kids, or --

9 THE DEFENDANT: The last one was for the kids, and  
10 the -- the other two was for her.

11 THE COURT: None of them were ever granted.

12 THE DEFENDANT: No.

13 THE COURT: Okay. They were denied.

14 THE PLAINTIFF: I -- ma'am, I was not aware, because  
15 he was actually taking the mail --

16 THE COURT: There could be --

17 THE PLAINTIFF: -- I was not aware.

18 THE COURT: -- reasons he couldn't serve you, or you  
19 didn't know --

20 THE PLAINTIFF: No, I actually was just notified on  
21 Monday, Monday of last week, when I came here for mediation.

22 THE COURT: Yeah. Well --

23 THE PLAINTIFF: So I was not aware.

24 THE COURT: -- there's no -- nothing in effect.

1 THE PLAINTIFF: Yeah.

2 THE COURT: And neither of you have harassed each  
3 other, or stalked or bothered each other, right?

4 THE PLAINTIFF: No.

5 THE DEFENDANT: No.

6 THE COURT: And there's no concern? Okay. And the  
7 TPO, Judge did hear what you had to say, but they said it  
8 didn't -- it didn't rise to the level of a protection order.  
9 So Mom's allowed to come into contact with the kids, but you  
10 two are in the midst of filing for divorce; is that correct?

11 THE DEFENDANT: Yes.

12 THE COURT: And you both want the divorce, I take  
13 it?

14 THE DEFENDANT: Yes.

15 THE PLAINTIFF: Yes.

16 THE COURT: Okay. I can't do the divorce until this  
17 custody thing is resolved. So in terms of custody, there's  
18 going to be a lot of reasons, obviously, but if we can't get  
19 you guys to agree, then I'm going to be the one that has to  
20 probably figure out what's best for the kids. There are DV  
21 allegations. Nobody has filed any criminal, have they? For  
22 child abuse, hitting the child?

23 THE PLAINTIFF: No, ma'am.

24 THE COURT: No?

1 THE DEFENDANT: Just the social worker.

2 THE COURT: Just the social worker substantiated.

3 So how do I know if this ain't like, a one time thing, never

4 in your whole life, she must have back talked you, and what

5 did you do? Slap her on the face or something?

6 THE PLAINTIFF: Ma'am, there's --

7 THE COURT: Or are there allegations of being

8 whupped by a belt and stuff like that? The boy says -- was

9 there a boy that said something about that, too?

10 THE DEFENDANT: There's the boys, the daughter got

11 hit in the head with a PC (sic) pipe.

12 THE COURT: PVC pipe?

13 THE DEFENDANT: Yeah, the plastic round pipe.

14 THE COURT: Yeah. Uh-huh.

15 THE DEFENDANT: So every three months, she's back in

16 the doctor. She's on medication right now, behind the

17 headaches she having.

18 THE COURT: Concussion?

19 THE DEFENDANT: Well, I don't know yet. She goes to

20 the doctor on the 24th of this month for a CAT scan.

21 THE COURT: Okay. So somebody made a report to CPS.

22 THE DEFENDANT: Yes. Not -- it wasn't me.

23 THE COURT: Okay. Don't -- you don't tell --

24 THE DEFENDANT: All right.

1 THE COURT: They're -- they're confidential.  
2 Whoever makes the report's confidential. So you can tell me  
3 it wasn't you, so. Whoever made the call, obviously, that  
4 remains confidential. But either way, it come through the  
5 system, and she's going to -- we'll have to wait. Do -- do  
6 they give you a time frame of when your appeal might be heard?

7 THE PLAINTIFF: I did check on that, and it's not  
8 until September. But all of this --

9 THE COURT: You all know how to get a copy of your  
10 records? I can't give them to you, but you can go down --  
11 walk yourself down to the DFS office, tell them you got a  
12 court case with Judge Moss, I need my court records ASAP, and  
13 they will email this to you.

14 THE PLAINTIFF: DFS.

15 THE COURT: Okay. Yeah. Because you don't have  
16 attorneys, I can't give you a copy.

17 THE PLAINTIFF: Okay.

18 THE COURT: Okay? But they email it to me, and I  
19 just print them.

20 THE PLAINTIFF: Downstairs --

21 THE COURT: No, no, no. Martin Luther King and  
22 Alta.

23 THE PLAINTIFF: Oh, okay.

24 THE COURT: The Department of Family Services

1 building.

2 THE PLAINTIFF: Okay.

3 THE COURT: You walk at the window, tell them who  
4 you are, show your ID, and say, I need this because I'm going  
5 to trial --

6 THE PLAINTIFF: Okay.

7 THE COURT: -- on custody.

8 THE PLAINTIFF: Okay.

9 THE COURT: All right. In the meantime, because I  
10 have a substantiation, I will refer you guys to mediation.  
11 Are there any violence between you and Mom, Dad -- Dad and  
12 Mom? You don't got no --

13 THE PLAINTIFF: Judge --

14 THE COURT: -- physical altercations or nothing?

15 THE DEFENDANT: I just stay far away. I stay far  
16 away.

17 THE PLAINTIFF: Judge --

18 THE COURT: How long you been not living --

19 THE DEFENDANT: Because --

20 THE COURT: -- together? When did you move out?

21 THE DEFENDANT: Since March 8th.

22 THE COURT: Of this year?

23 THE DEFENDANT: Of this year.

24 THE COURT: Who moved out?

1 THE DEFENDANT: I did.

2 THE COURT: You moved out and you left the kids with  
3 her, right?

4 THE DEFENDANT: No, took them with me.

5 THE COURT: Took them with you because of that  
6 incident?

7 THE DEFENDANT: Because of the incident, took them  
8 with me, took her mother with me, too.

9 THE COURT: Okay.

10 THE DEFENDANT: And the reason I stay away and keep  
11 the kids away, she canceled my insurance on my car.

12 THE COURT: Uh-huh.

13 THE DEFENDANT: So by you canceling the insurance,  
14 there's no need for me to --

15 THE COURT: Well --

16 THE DEFENDANT: Don't call me to ask me to bring  
17 them nowhere.

18 THE COURT: This is the typical drama that happens  
19 usually when people are starting to get divorced. After a  
20 while, we hope things will calm down. Now, you two are --  
21 you're -- you are the Father, you are the Mother. The only  
22 thing left is for you to raise these children until they're  
23 18. Otherwise, you move on with your life. And the only  
24 thing -- the only business you guys have to talk about is

1 what's going to be happening with the kids.

2 THE PLAINTIFF: Yeah.

3 THE COURT: Did the CPS give you a referral  
4 resources? Are the kids going to counseling, anything of that  
5 sort?

6 THE DEFENDANT: The doctor. I took them, they go to  
7 coun -- they went to counseling --

8 THE COURT: Herman, where you work at? You got  
9 insurance?

10 THE DEFENDANT: No.

11 THE COURT: You work?

12 THE DEFENDANT: Yes.

13 THE COURT: Where you work at?

14 THE DEFENDANT: Self employed.

15 THE COURT: What you do?

16 THE DEFENDANT: Copart.

17 THE COURT: As a what?

18 THE DEFENDANT: Self employed, Copart, tow truck  
19 driver.

20 THE COURT: Oh, you have your own tow truck?

21 THE DEFENDANT: Yes.

22 THE COURT: I got you.

23 THE DEFENDANT: And I pick up cars for Copart.

24 THE COURT: Kopar (sic) K-o-p-a-r?

1 THE DEFENDANT: No, C. C-o-r-p-a-t (sic).  
2 THE COURT: Copart.  
3 THE DEFENDANT: It's the insurance cars, donation  
4 cars, cars --  
5 THE COURT: Okay.  
6 THE DEFENDANT: -- from tow yards --  
7 THE COURT: So you get regular work.  
8 THE DEFENDANT: Yeah.  
9 THE COURT: How much you make a year?  
10 THE DEFENDANT: Well, I haven't --  
11 THE COURT: With --  
12 THE DEFENDANT: -- I haven't gone through a whole  
13 year. I just started at the end of November.  
14 THE COURT: You picked up your truck? You had to  
15 buy a truck?  
16 THE DEFENDANT: Well, I had the truck from before --  
17 THE COURT: You always had the truck --  
18 THE DEFENDANT: -- from 2014.  
19 THE COURT: Okay.  
20 THE DEFENDANT: It's a Chevy Silverado turned into a  
21 tow truck, with a wheel lift on it.  
22 THE COURT: Okay.  
23 THE DEFENDANT: I got another truck, the same thing,  
24 2500 Chevy Silverado turned into a wheel --



1 THE COURT: Now, you live alone with the kids, or  
2 you live with family?

3 THE DEFENDANT: No, it's me and my kids and her  
4 mother. Her mother stays there, too.

5 THE COURT: You get along with her mother? The  
6 maternal grandmother?

7 THE DEFENDANT: Yeah.

8 THE COURT: Okay. Did grandma and her don't get  
9 along? You don't get along with your mom?

10 THE PLAINTIFF: No. Since I stopped --

11 THE COURT: Why is -- why is she hanging out with  
12 him?

13 THE PLAINTIFF: Because I stopped supporting her  
14 financially since September of 2018.

15 THE COURT: You've always been the breadwinner?

16 THE PLAINTIFF: Yes. And --

17 THE COURT: Being a nurse, you make about 40, 50,  
18 60,000 or more?

19 THE PLAINTIFF: Yes, ma'am. Because of all the  
20 bills that I've been supplementing with my mom and for him, I  
21 was working anywhere from 60 to 70 hours a week.

22 THE COURT: What's your specialty? General?

23 THE PLAINTIFF: General. Primarily --

24 THE COURT: Any kind of nursing --

1 THE PLAINTIFF: -- wounds --  
2 THE COURT: Huh?  
3 THE PLAINTIFF: Primarily wound and IV management.  
4 THE COURT: IV management --  
5 THE PLAINTIFF: Yes.  
6 THE COURT: -- and what was the other one?  
7 THE PLAINTIFF: Wounds. Wounds.  
8 THE COURT: Oh, wounds.  
9 THE PLAINTIFF: Wounds, ostomy --  
10 THE COURT: Wound care.  
11 THE PLAINTIFF: Yes. Wound care.  
12 THE COURT: Got you. Okay.  
13 THE PLAINTIFF: The situation with my mom, I didn't  
14 know how bad it was until I actually got information --  
15 everything that happens, it just kind of happens now. And so,  
16 yes, I was not aware of --  
17 THE COURT: Okay.  
18 THE PLAINTIFF: -- the situation with my mom being  
19 so tenuous.  
20 THE COURT: What is this thing, you accuse Dad of --  
21 saying he's involving the kids in illegal activities?  
22 THE PLAINTIFF: Well, what he has -- what he has  
23 been doing, Your Honor, I want to -- one -- that's one of the  
24 reasons I had requested counsel --

1 THE COURT: Just in a nutshell.

2 THE PLAINTIFF: In a nutshell, he would have the  
3 children --

4 THE COURT: Come with him to work?

5 THE PLAINTIFF: No. Actually, he would bring home  
6 the same vehicles that he's towing from Copart's or body  
7 shops, bring them to the house, swap parts, have the children  
8 involved in that particular activity, and then take the parts  
9 -- take the cars to its final destination, which is Copart.  
10 And I had a problem with that, and I spoke to him about that.

11 THE COURT: What kind of --

12 THE PLAINTIFF: Because that is illegal.

13 THE COURT: That was going on under your roof?

14 THE PLAINTIFF: Yes.

15 THE COURT: When you two shared --

16 THE PLAINTIFF: And that was --

17 THE COURT: -- the same roof.

18 THE PLAINTIFF: That was illegal.

19 THE COURT: What did you -- did you take pictures?

20 THE PLAINTIFF: No, I didn't take pictures. I spoke  
21 to him about it, and it just became an argument.

22 THE COURT: Did you -- he did it openly, like in the  
23 garage?

24 THE PLAINTIFF: He did it in the garage.

1 THE COURT: He did it in the garage?  
2 THE PLAINTIFF: Yes.  
3 THE COURT: And you didn't bother to take pictures  
4 that he's swapping parts?  
5 THE PLAINTIFF: No, I didn't take pictures, Your  
6 Honor, because at that point, it was still -- look, just --  
7 THE COURT: Don't want to get him in trouble.  
8 THE PLAINTIFF: -- try to -- try to -- after 15  
9 years, you would think that, okay, try to put yourself in a  
10 better position, stop doing the same things over and over. He  
11 would start doing well, and then he just gets back into the  
12 same thing of doing something illegal, and then we're just  
13 right back to square one.  
14 THE COURT: How would the kids know it's illegal?  
15 THE PLAINTIFF: Because they know it's not his car.  
16 They know it's -- he will tell them, oh, it's a car I'm taking  
17 back to Copart. It's illegal.  
18 THE COURT: He would take an expensive part out?  
19 THE PLAINTIFF: He would swap the rims, he would  
20 swap -- you know, if it's something that's intact, and he  
21 would swap -- and he would swap the things in the garage.  
22 THE COURT: He must have kept a big stock there to  
23 figure out what model he's bringing in, and then --  
24 THE PLAINTIFF: Well, it was primarily for his

1 vehicle, not to sell or anything like that, but it was for his  
2 vehicle.

3 THE COURT: She making this up, sir?

4 THE DEFENDANT: Yes, she is.

5 THE COURT: How can you take --

6 THE DEFENDANT: I don't swap --

7 THE COURT: -- like, a Toyota Corolla and then swap  
8 it out with tires from a Hyundai?

9 THE DEFENDANT: They won't fit.

10 THE PLAINTIFF: No, he would --

11 THE DEFENDANT: They won't fit.

12 THE PLAINTIFF: -- swap the Chevy -- the last  
13 particular incident, he would swap the Chevy truck, because he  
14 picked up a Chevy truck --

15 THE COURT: What kind of parts?

16 THE PLAINTIFF: -- with -- he took off all four rims  
17 --

18 THE COURT: On a Chevy truck?

19 THE PLAINTIFF: -- and tires off a Chevy truck and  
20 replaced them on the truck that he's currently driving.

21 THE COURT: And you didn't take pictures because you  
22 --

23 THE PLAINTIFF: No, I didn't.

24 THE COURT: -- didn't want to --

1 THE COURT: I didn't take pictures, Your Honor,  
2 because it was like, okay, look, you can't keep doing --

3 THE COURT: Then it's your word against his word;  
4 isn't that right?

5 THE PLAINTIFF: It's my word against -- my main  
6 thing is I just need to -- he's been barring access to the  
7 children. I've tried to call, he blocks my number.

8 THE COURT: Uh-huh.

9 THE PLAINTIFF: I've tried to see the kids --

10 THE COURT: Taking things into his own hands.

11 THE PLAINTIFF: Right.

12 THE COURT: Well, obviously CPS left the kids with  
13 him --

14 THE PLAINTIFF: And even that is false, and that's  
15 why I am getting an attorney for that.

16 THE COURT: You got -- yeah, you got issues with the  
17 --

18 THE PLAINTIFF: Because it is -- everything is  
19 stemming from --

20 THE COURT: Okay.

21 THE PLAINTIFF: -- the derogatory comments that he's  
22 making about me to the children.

23 THE COURT: So you guys are like, way apart. I  
24 can't even send you two to mediation, can I?

1           THE PLAINTIFF: That's why I requested mediation to  
2 be cancelled --

3           THE COURT: Cancelled.

4           THE PLAINTIFF: -- because I know there is no  
5 happening --

6           THE COURT: Let's set it for trial. We're going to  
7 be down to February-ish, early February. We'll set it for  
8 trial, but in the mean time, I have to do some type of a band-  
9 aid order. This ain't a termination of her rights, so she's  
10 going to have contact with the kids. Problem -- well,  
11 concern. I won't say problem. Concern. You got a 14-and-a-  
12 half that was obviously the subject of the CPS, and teenager,  
13 don't want to see her mom, don't want nothing to do with her  
14 Mom.

15           Obviously, there's been a severe separation of the  
16 mother/daughter relationship. Mother would obviously come  
17 into court, request that she heal the relationship, but the  
18 child would need to go to individual counseling, and then Mom  
19 will need to go to counseling for her and the daughter. So  
20 that's two types of counseling, individual for the child, and  
21 reunification counseling between Mom and daughter. So it's  
22 called family counseling for Mom and individual child  
23 counseling for the daughter. That's why I asked you is  
24 Abigail in any kind of counseling?

1 THE DEFENDANT: She was.  
2 THE COURT: Okay.  
3 THE DEFENDANT: But the place that they go to -- the  
4 place that they send them to, it wasn't for them. They wanted  
5 to put one of the kids on medication, and I'm not going to do  
6 that. So the doctor -- the doctor that they have, she's  
7 looking into a different location for all four of them to go,  
8 because they split all four of them up, in different spots.  
9 THE COURT: CPS?  
10 THE DEFENDANT: Not CPS, the doctor --  
11 THE COURT: Oh, just you --  
12 THE DEFENDANT: -- just the doctor itself. I have  
13 all the papers right here.  
14 THE COURT: You on Medicaid or something?  
15 THE DEFENDANT: Yes.  
16 THE COURT: That's what you're using, the medicaid.  
17 THE DEFENDANT: So they send them to these different  
18 places --  
19 THE PLAINTIFF: Bearing in mind, Your Honor, that --  
20 THE COURT: Okay.  
21 THE DEFENDANT: -- and --  
22 THE PLAINTIFF: -- the children --  
23 THE COURT: One moment, one moment.  
24 THE PLAINTIFF: -- aren't covered -- sorry.



1 THE COURT: You're going -- and a doctor, an MD, a  
2 pediatrician --  
3 THE DEFENDANT: Yes, a pediatrician --  
4 THE COURT: -- recommended that this child go on  
5 medication?  
6 THE DEFENDANT: No, they didn't recommend him. The  
7 therapy place was trying to put one of them on medication,  
8 Matthew.  
9 THE COURT: Okay. And --  
10 THE DEFENDANT: And I went back to them and I told  
11 them no. You have to find a different place.  
12 THE COURT: Okay.  
13 THE DEFENDANT: So she hasn't for -- she hasn't  
14 found a place for the kids to go to --  
15 THE COURT: So which daughter needed medication?  
16 THE DEFENDANT: Not the daughter, the son. Matthew.  
17 They want to put him on --  
18 THE COURT: Matthew? He's nine.  
19 THE DEFENDANT: Yeah.  
20 THE COURT: Does he have any special -- any of these  
21 kids have special needs?  
22 THE PLAINTIFF: No, ma'am.  
23 THE DEFENDANT: No.  
24 THE COURT: IEP, anything of that sort?

1 THE PLAINTIFF: No, ma'am.

2 THE COURT: So they're normal kids when you raised  
3 them together as husband and wife?

4 THE PLAINTIFF: Yes, ma'am.

5 THE COURT: Okay. And they wanted Matthew on -- is  
6 it ADHD or antidepressants, or what kind of medication?

7 THE DEFENDANT: He just shuts down. He'll -- he'll  
8 just -- he'll start talking to you, good, calm, and then after  
9 he just shut down, start crying. So they want to put him on  
10 medication because he wouldn't talk to them. I was like, nah.  
11 Nah. I'm not going to put no kid of mine on no medication.

12 THE COURT: Which ones were the subject of CPS?  
13 Herman and Abigail?

14 THE DEFENDANT: Herman -- all four of them.

15 THE COURT: All four of them. Elisha's the  
16 youngest, right?

17 THE DEFENDANT: Elisha.

18 THE COURT: Elisha.

19 THE DEFENDANT: That's our youngest.

20 THE COURT: Is that a boy or a girl?

21 THE DEFENDANT: A boy.

22 THE COURT: You have one, two, three boys?

23 THE DEFENDANT: Three boys, one girl.

24 THE COURT: One girl. All four of them yours?

1 THE DEFENDANT: Yes.

2 THE COURT: We're going to put them down for an  
3 observation. I can't just say here you go, throw them in a  
4 room with you. We're going -- we're actually going to put you  
5 in a room downstairs --

6 THE PLAINTIFF: I --

7 THE COURT: Ma'am, hang on.

8 THE PLAINTIFF: I'm sorry.

9 THE COURT: We're going to have you observed with  
10 the kids, and I want to know if they're kicking, screaming, or  
11 they okay with you.

12 THE PLAINTIFF: I have spent time with them after --

13 THE COURT: When was the last time you saw them?

14 THE PLAINTIFF: For -- I went to Nathaniel -- I'm  
15 sorry. Herman the third, I call him Nathaniel. I went to his  
16 graduation and I was there with them. I went to Elisha --

17 THE COURT: Elementary school graduation?

18 THE PLAINTIFF: Elementary school, and then they  
19 were with me at Chuck E. Cheese for two hours --

20 THE COURT: This is how you worked it out with Dad?

21 THE PLAINTIFF: Right. But then since then, it's  
22 like I can't get him to --

23 THE COURT: I know. I got you.

24 THE PLAINTIFF: -- do anything.

1 THE COURT: I've been doing this 19 years, ma'am.  
2 Okay. So I want them observed with you. Good. So you're not  
3 like, a total stranger with them, but I want them observed  
4 with you. And you going to go in a room downstairs.

5 THE PLAINTIFF: Yes, ma'am.

6 THE COURT: They got a two-way mirror, okay? And  
7 they will observe. There's audio, too. You going to pick a  
8 game with them, you play with them. They might do one  
9 individually, one on one, and other times all four, or -- I  
10 don't know how they want to do it, but they can do an  
11 extensive observation. It's a safe place downstairs. It's  
12 going to be in the courthouse. So you'll set up downstairs,  
13 and I'll need an observation report on that.

14 That takes about 30 days, and then the kids can be  
15 interviewed. Six is very young, but I can at least get an  
16 idea of what they are. And they'll just -- they're not forced  
17 to answer any questions that they're not comfortable with.  
18 They're not forced to choose what parent. We never -- would  
19 ever do that, what parent they want to live with. We just  
20 going to say, how's it going? They get a voice, okay,  
21 downstairs.

22 They talk with a person, professional, downstairs.  
23 What's your relationship with your mom, your dad, any other  
24 people you're close to? How's school going, how are your

1 grades? And we'll focus on relationship, disciplining of the  
2 children. They might be asked about that. Okay? But most of  
3 all, please do not feed them the questions. I want you to  
4 tell them --

5 THE PLAINTIFF: He has been --

6 THE COURT: -- I want you to tell them three words,  
7 just three words. Tell the truth. That's it. So Dad, you'll  
8 have to bring the kids for an interview and observation.  
9 You'll make your appointment downstairs. Mediation, Mom,  
10 you'll be observed with them for the next 30 days. All other  
11 times you -- are you opposed to -- now, you don't have a  
12 problem Mom visiting with them at Chuck E. Cheese?

13 THE DEFENDANT: No. The last time she took them out  
14 on April for -- for the birthday --

15 THE COURT: Uh-huh.

16 THE DEFENDANT: -- my daughter called me because she  
17 said that she never bought them anything to eat. So I told  
18 them to come home. Two hours with them, nothing to eat.

19 THE PLAINTIFF: Your Honor --

20 THE COURT: One moment.

21 THE DEFENDANT: Bring them home -- bring them home.  
22 So her sister was here because I refuse to go. The first time  
23 I went, they came out the IHOP crying, crying.

24 THE COURT: Another time?

1 THE DEFENDANT: This was the very first time they  
2 went. I stayed in the parking lot --  
3 THE COURT: Uh-huh.  
4 THE DEFENDANT: -- let them go in there to eat. I  
5 didn't put no time on it, just sat in the parking lot --  
6 THE COURT: Did they eat?  
7 THE DEFENDANT: -- till they were done --  
8 THE COURT: Did they eat?  
9 THE DEFENDANT: They brought the stuff back to the  
10 car, carry out.  
11 THE COURT: Carry out?  
12 THE DEFENDANT: My daughter did, and one of the boys  
13 did.  
14 THE COURT: In -- after an hour?  
15 THE DEFENDANT: Aft -- I don't know how long. I was  
16 just sitting in the parking lot.  
17 THE COURT: Well, how do you know Mom fed them and  
18 then they wanted an extra meal to bring home?  
19 THE DEFENDANT: I sat in the parking lot, so I'm not  
20 going to say that. You're right.  
21 THE COURT: Right.  
22 THE DEFENDANT: I sat in the parking lot, waited for  
23 them to come out. They came out crying --  
24 THE COURT: If it was carry out -- oh, they were

1 crying?

2 THE DEFENDANT: They was crying when they came out.

3 THE COURT: So they didn't eat their -- they ordered

4 meals --

5 THE DEFENDANT: So it's a -- she called them a

6 traitor, called my daughter, told my daughter, don't marry a

7 father like -- don't marry a dad like your father.

8 THE COURT: Yeah. Okay.

9 THE DEFENDANT: Why should I come around? I mean, I

10 was --

11 THE COURT: (Indiscernible) --

12 THE DEFENDANT: -- filing the papers, the writing

13 route place to go, one of the papers, they told me downstairs,

14 I got to vacate it, because I tried to do the mediation --

15 THE COURT: Uh-huh.

16 THE DEFENDANT: -- and I was here on the 15th --

17 THE COURT: Uh-huh.

18 THE DEFENDANT: -- I come here to this courtroom

19 like --

20 THE COURT: Oh, no. We're not doing the mediation

21 --

22 THE DEFENDANT: No --

23 THE COURT: -- we're going to do child interview --

24 THE PLAINTIFF: Your -- your --

1 THE DEFENDANT: No, I came to --  
2 THE COURT: Hang on, ma'am.  
3 THE DEFENDANT: -- I came down to the mediation on  
4 the 15th. That's what self help told me to do. They told me  
5 I -- when I go see the judge on Monday, to have it vacated.  
6 Now, as I come down here, I pull papers from the window  
7 because I don't get them --  
8 THE COURT: Okay.  
9 THE DEFENDANT: -- like all the filings --  
10 THE COURT: Mediation is for you and Mom to discuss  
11 what custody would be, but Mom don't want that either, so I'm  
12 not doing that.  
13 THE DEFENDANT: Okay.  
14 THE COURT: So that'll be a none on the mediation.  
15 But child interview, yes. Disciplining, relationship with  
16 parents. Okay. And you saying these kids are scared of their  
17 mom?  
18 THE DEFENDANT: No, not me.  
19 THE COURT: Okay.  
20 THE DEFENDANT: That's what they said.  
21 THE COURT: All right.  
22 THE PLAINTIFF: Your Honor, he's the one that has --  
23 THE COURT: And you're saying a lot of their main  
24 complaints is that she don't feed them? Hang on. Hang on.



1 THE DEFENDANT: She been going out. She works. I'm  
2 not going to knock her. She works. This started from way  
3 back when I started putting these PTOs (sic) in.  
4 THE COURT: TPOs.  
5 THE DEFENDANT: Way before that. Way before that.  
6 THE COURT: Yeah.  
7 THE DEFENDANT: She put down that I don't do nothing  
8 with the kids. Eight months in New York, working, putting  
9 money in her account every month. Every time she would tell  
10 me -- she told me, oh, I got a job training to go to. She's  
11 in Jamaica. I come down for a week, stay with the kids. I  
12 got the whole passport in my bag, stamp, stamp, stamp. I put  
13 \$2,000 in her account on August of last year.  
14 THE COURT: Uh-huh.  
15 THE DEFENDANT: We was all in New York.  
16 THE COURT: Uh-huh.  
17 THE DEFENDANT: I come down here, now I'm like,  
18 every month it's just Jamaica, Jamaica, Jamaica, Jamaica,  
19 Jamaica, job training. So I open the mail. August 3rd, I put  
20 the \$2,000 in the account for the school clothes. I bought  
21 some up there, I bought some in July when I came down --  
22 THE COURT: That's 500 a kid.  
23 THE DEFENDANT: Huh?  
24 THE COURT: That's 500 a kid for clothing. It's

1 expensive, I know.

2 THE DEFENDANT: Right?

3 THE PLAINTIFF: Your Honor?

4 THE DEFENDANT: She's in Jamaica, swiping the card  
5 August 3rd.

6 THE PLAINTIFF: Your -- Your Honor --

7 THE COURT: Hold --

8 THE DEFENDANT: And the card -- she told me, put it  
9 in the bank. I mean, I had the taxes, everything. I mean,  
10 don't do this to me. I've been doing what I've been doing for  
11 a lot of years --

12 THE COURT: So what are you saying?

13 THE DEFENDANT: Huh?

14 THE COURT: She's not doing job training?

15 THE DEFENDANT: No. No. It's a machine that got  
16 bought. There's a machine that got bought for \$38,000, sent  
17 to Jamaica, wasn't supposed to be sent to Jamaica, and when I  
18 approached her about this --

19 THE COURT: A \$38,000 machine?

20 THE DEFENDANT: Yeah. When I approach -- it's a  
21 printing machine, it's an ink printing machine. When I  
22 approach her about it, she tell me, it's none of your concern,  
23 don't worry about it. But all my tools that I've bought,  
24 everything she asked me to do, I need this, I need that, I go

1 buy it. Here, hold it, hold it. Don't come in -- in here,  
2 sit and try to make me like I'm a thief, I trained my kids to  
3 do this. Them kids, I don't train the kids to do nothing.  
4 They know. They know how to work.

5 THE COURT: You don't got no record?

6 THE DEFENDANT: I have a record. Convicted felony,  
7 seven years of -- 15 years ago.

8 THE COURT: For what?

9 THE DEFENDANT: For burglary.

10 THE COURT: Okay. That's --

11 THE DEFENDANT: On one of the papers, she said that  
12 she didn't know I had a bad record.

13 THE PLAINTIFF: I'm --

14 THE DEFENDANT: Right?

15 THE PLAINTIFF: Okay.

16 THE DEFENDANT: It was okay to file for her papers  
17 to be here --

18 THE PLAINTIFF: Oh --

19 THE COURT: Wait a minute. She knew about your  
20 record --

21 THE DEFENDANT: Yeah.

22 THE COURT: -- she married you.

23 THE DEFENDANT: But she --

24 THE COURT: And had kids with you.

1 THE DEFENDANT: -- on one of the papers, she say she  
2 didn't know I was a convicted felony.

3 THE COURT: But that was a long --

4 THE DEFENDANT: Fifteen years ago. I caught a case  
5 down here because I went to the school a week straight with my  
6 daughter. This is -- four houses away, a girl kept bothering  
7 my daughter. I went to the father like a human being, talked  
8 to him. As a matter of fact, she brought me over there. This  
9 was the father that was at the mailbox.

10 THE COURT: Uh-huh.

11 THE DEFENDANT: I said listen, we next door  
12 neighbors, tell your kid -- I mean, they're kids. They're  
13 going to be arguing. Like, try to keep it apart. The next  
14 day after that, he drives his two daughters to jump on my  
15 daughter. So now you opened the door for me.

16 THE COURT: Who jumped on your daughter?

17 THE DEFENDANT: His two daughters.

18 THE COURT: Whose --

19 THE DEFENDANT: He drove them the next --

20 THE COURT: -- his -- who's this guy?

21 THE DEFENDANT: I don't really know him. I don't  
22 know. He lives down the block.

23 THE COURT: Some guy live down the block had his two  
24 daughters jump --

1 THE DEFENDANT: Jump on --  
2 THE COURT: -- on your daughter.  
3 THE DEFENDANT: -- my daughter. So now you open the  
4 door for me to act like an idiot. So now the kids come, they  
5 come home, I walk up the block. She comes in the house and  
6 get me, I walk up the block, trying to talk to the fath -- the  
7 mother. The father drove off. Trying to talk to the mother,  
8 little girl kept jumping in my face. I pushed her out of my  
9 face, and I got -- I get a ticket, and my daughter get a  
10 ticket. Now, I got to go to court.  
11 THE COURT: Disturbing the peace?  
12 THE DEFENDANT: No, they gave me a misdemeanor.  
13 THE COURT: Okay.  
14 THE DEFENDANT: A misdemeanor --  
15 THE COURT: Battery?  
16 THE PLAINTIFF: He punched the girl in her face.  
17 THE DEFENDANT: Battery, right?  
18 THE COURT: Oh, on the girl -- on that little girl?  
19 THE PLAINTIFF: Yes. He punched --  
20 THE DEFENDANT: Right.  
21 THE COURT: I read it --  
22 THE PLAINTIFF: -- a girl in her face.  
23 THE COURT: I read it.  
24 THE PLAINTIFF: So -- so --

1 THE DEFENDANT: So now I have another record down  
2 here, which I haven't been in no trouble in 15 years since  
3 I've been home.

4 THE COURT: Fifteen years. Okay.

5 THE PLAINTIFF: Your --

6 THE DEFENDANT: Out of her mouth --

7 THE COURT: How old was that girl?

8 THE DEFENDANT: I don't know. I don't know.

9 THE PLAINTIFF: About 17, Your Honor.

10 THE DEFENDANT: I don't know.

11 THE COURT: Okay.

12 THE DEFENDANT: Out of her own mouth, one of us got  
13 to be a good person, you already got a felony. That's what I  
14 -- that's what I hear.

15 THE COURT: Uh-huh.

16 THE DEFENDANT: So when she starts, it's just like  
17 in November. Call police on me, and tell the police I took  
18 her gun.

19 THE PLAINTIFF: Because he threatened to shoot me.

20 THE DEFENDANT: They chase --

21 THE COURT: One moment.

22 THE DEFENDANT: They -- I have the 911 call --

23 THE COURT: Hang on, ma'am.

24 THE DEFENDANT: -- right? They said she told -- I

1 said to her, how would you explain --

2 THE COURT: Are you registered here?

3 THE DEFENDANT: What?

4 THE COURT: A registered felon. You -- you don't

5 have felony on you? You have felony on you, don't you?

6 THE DEFENDANT: I have a felony, but that was a long

7 time ago.

8 THE COURT: Oh, so there -- Martin, are there

9 certain requirements for a felon? Any felony must register?

10 THE CLERK: It's -- it's (indiscernible).

11 THE COURT: Oh, okay.

12 THE DEFENDANT: Right? So they called -- she called

13 -- I said to her -- we was in the house, arguing. I said to

14 her, how would you explain to police if I shot myself with

15 your gun? Ran out the house. Came back in the house, went --

16 went to go get my money. I called the police on you, ran back

17 out the house.

18 When the police pulled me over, I don't know how

19 many cars it was. Hands in the air, get out the car. I said,

20 the gun is in the same place where she got it at, in the

21 house, in the closet. They took me to a crazy ward hospital.

22 I got the police report, the 911 calling, where they found the

23 gun, gun wasn't taken, I didn't have no gun in my possession.

24 But still, call the police --

1 THE COURT: Yeah.

2 THE DEFENDANT: -- on me. I never threatened that  
3 girl. Never.

4 THE COURT: And they didn't -- they didn't charge  
5 you with a felon with a gun in possession?

6 THE DEFENDANT: I didn't have no gun in my  
7 possession.

8 THE COURT: Okay.

9 THE DEFENDANT: The gun was in the house. They  
10 found it in the house. They had me on cac -- on Las Vegas  
11 Boulevard between Cactus and Silverado Ranch, pulled over.

12 THE COURT: Okay.

13 THE DEFENDANT: They didn't even search the car.  
14 Put me in handcuffs, took me to the hospital. And her report  
15 again, papers --

16 THE COURT: Now, why would they take you to the  
17 hospital?

18 THE DEFENDANT: They said for safe -- for safety,  
19 just do a safekeeping. Safekeeping. I'm not crazy. I did 15  
20 years -- I did seven years in jail, I wasn't thinking about  
21 killing myself. Sure not going to kill myself now.

22 THE PLAINTIFF: Your Honor --

23 THE DEFENDANT: She got another report in here,  
24 February 14th. Stated that --



1 THE COURT: Hang on, hang on, Mom. I'm going to let  
2 you respond.

3 THE DEFENDANT: February 14 --

4 THE PLAINTIFF: There's so many -- Your Honor, I --  
5 I think I --

6 THE COURT: And I don't got all day, obviously.

7 THE PLAINTIFF: Yeah. To try to -- to try to --  
8 okay. So what he did --

9 THE COURT: We're going to sort all this out. You  
10 guys are going to say all this again in much more detail when  
11 you guys testify for the trial, because --

12 THE DEFENDANT: Okay.

13 THE COURT: -- this ain't going to get resolved.  
14 You're going to need at least a day probably for trial. So is  
15 there a Thursday sometime in February is how far out. In the  
16 meantime, we're going to come back quickly, in about 30 days.  
17 So I expect you to be working out something with Mom,  
18 flexible, in a safe place, in a public place, Chuck E. Cheese,  
19 IHOP or wherever the kids like to go, and give Mom a couple  
20 hours of visitation here and there.

21 And then you're going to schedule your observation  
22 session downstairs. Dad will bring them, and the kids will  
23 all four of them be interviewed. It's going -- with four  
24 kids, it's going to be a few hours, so probably a two hour

1 ordeal. So you're going to meet up downstairs and make your  
2 appointment. Try to get it done before school starts, because  
3 the kids are more available right now, and they're scrambling  
4 probably, but we'll make sure you guys get an appointment in  
5 time. We'll set you back in about 30 -- well, I think I'm out  
6 --

7 (COURT AND CLERK CONFER BRIEFLY)

8 THE COURT: Yeah, they're super busy downstairs.  
9 Let me see. In the meantime, temporary, because of the  
10 substantiation, temporary joint legal, primary with Dad.  
11 Well, visitation with Mom, but you -- Mom feels, when she gets  
12 it, she gets her visitation, but you kind of sometimes pull  
13 the strings on that. If you want some set times so you don't  
14 have to get accused by Mom, you give me a two hour block on a  
15 particular day or days, and let me know when you can bring the  
16 kids, and she can have --

17 THE DEFENDANT: I can bring them anytime.

18 THE COURT: Okay.

19 THE DEFENDANT: Anytime.

20 THE COURT: She got a car, right?

21 THE DEFENDANT: The way I work --

22 THE COURT: What are your days off? You work three  
23 days?

24 THE PLAINTIFF: Saturdays. I -- I work all five

1 days, Your Honor.

2 THE COURT: Oh, you're not a three day nurse? Three  
3 12 hour shifts?

4 THE PLAINTIFF: No, I -- I work five days because --

5 THE COURT: What's your downtime, like your most --

6 THE PLAINTIFF: I am --

7 THE COURT: Generally, like a day off so you can  
8 spend time with your kids.

9 THE PLAINTIFF: I -- I am home by 3:30 in the  
10 afternoon.

11 THE COURT: Every day, usually?

12 THE PLAINTIFF: Every day. I'm off on Saturdays and  
13 Sundays.

14 THE COURT: You off Saturday, Sundays?

15 THE PLAINTIFF: Yes.

16 THE COURT: You do a lot of things Saturday,  
17 Sundays? You're going to need -- you drop them off with Mom  
18 for day visits only.

19 THE DEFENDANT: It's -- like, this weekend, I didn't  
20 work. Next weekend, I work.

21 THE COURT: Oh, you work.

22 THE DEFENDANT: Saturday, not Sunday.

23 THE COURT: Okay.

24 THE DEFENDANT: It's like, varies.

1 THE PLAINTIFF: Your Honor --  
2 THE COURT: Okay.  
3 THE DEFENDANT: They go by a list --  
4 THE PLAINTIFF: -- I've tried --  
5 THE DEFENDANT: -- they go by a list at the job.  
6 THE COURT: You know what? I -- I don't know how  
7 you going to do with the kids and their comfort level with you  
8 downstairs, and they're to be interviewed, and just tell them  
9 three words, tell the truth. Okay? And I need to get back on  
10 that report. So we got to come back as soon as possible.  
11 Martin, okay. Call FMC, see if they're open. And give me a  
12 one hour observation, four kids, and child interviews. This  
13 is like, a long appointment. It's like a two-hour  
14 appointment.  
15 THE CLERK: Observation and child interview?  
16 THE COURT: And observation, yeah. Four kids. Four  
17 kids. That's -- let me see if I got a slot so I can get you  
18 guys --  
19 THE PLAINTIFF: Your Honor, he continues to --  
20 THE COURT: -- timely --  
21 THE PLAINTIFF: -- malign me. It's very difficult,  
22 and that's one of the reasons --  
23 THE COURT: Ma'am --  
24 THE PLAINTIFF: -- I requested --

1 THE COURT: -- I'm not -- I'm not judging you --  
2 THE PLAINTIFF: I know.  
3 THE COURT: -- and I'm not judging him. I'm  
4 listening. That's all I'm doing right now is listening. When  
5 I really listen is what -- what I only listen to at trial.  
6 This is divorce court, so the accusations are going to fly  
7 back and forth. I'm trying to just focus on the kids.  
8 THE PLAINTIFF: I just -- the kids, it's just the  
9 kids, and that's all. I've been trying to see the children --  
10 THE COURT: Is your daughter going through a period  
11 where she's disrespecting you?  
12 THE PLAINTIFF: She -- yes. At --  
13 THE COURT: Uh-huh. So she go run to her dad  
14 because she --  
15 THE DEFENDANT: She has --  
16 THE COURT: -- don't like the rules?  
17 THE DEFENDANT: The -- the last time she talk to  
18 that girl --  
19 THE PLAINTIFF: You know, it's very difficult --  
20 THE DEFENDANT: -- was the 27th --  
21 THE COURT: Hang on.  
22 THE PLAINTIFF: -- to talk, and he constantly is  
23 talking.  
24 THE COURT: Yeah. I was talking to her, sir.

1 THE DEFENDANT: I'm sorry.  
2 THE COURT: Yeah. Okay. I know.  
3 THE PLAINTIFF: The last time I had spoken to  
4 Abigail --  
5 THE COURT: What happened? Why was CPS involved?  
6 THE PLAINTIFF: The -- the incident that occurred  
7 was it was all orchestrated, Your Honor, and I didn't know  
8 until after the fact, where my mom --  
9 THE COURT: Beating them with hard objects --  
10 THE PLAINTIFF: That --  
11 THE COURT: -- dragging them across the room --  
12 THE PLAINTIFF: That is --  
13 THE COURT: This is just what I'm reading, ma'am.  
14 And this one led to a visit to the doctors. And you work in  
15 the medical profession --  
16 THE PLAINTIFF: What -- I'm -- I'm sorry. All of  
17 this, what you're reading, Your Honor, and I have to go and  
18 get a -- a record of it, Your Honor. I have no idea, no one  
19 -- I had never taken the kids to the doctor, and no one at --  
20 the --  
21 THE COURT: You weren't aware --  
22 THE PLAINTIFF: -- kids have never missed school --  
23 THE COURT: -- he took the child to a doctor?  
24 THE PLAINTIFF: I have not been able to have a

1 normal conversation with Herman, the Defendant.

2 THE COURT: Let's just focus on what happened with  
3 your child going to see a doctor --

4 THE PLAINTIFF: I don't know, Your Honor. Because I  
5 -- I don't know. He doesn't communicate.

6 THE COURT: Did you drag Abigail by the hair?

7 THE PLAINTIFF: No, I did not. No, I did not. The  
8 officers were even -- because what it is is that --

9 THE COURT: Did you hit Abigail with a pipe?

10 THE PLAINTIFF: No, I did not.

11 THE COURT: Which caused bleeding?

12 THE PLAINTIFF: No, I did not. Your Honor, I had --

13 THE COURT: Can you explain why she got bleeding  
14 under your care?

15 THE PLAINTIFF: I had a -- an allergy bracelet. I'm  
16 severely allergic, and I had an allergy bracelet. And while I  
17 was disciplining her for an incident that occurred when she  
18 let large teenage boys in the house when no adult was there,  
19 disappeared for hours, said it was her business, she can -- it  
20 happened, it happened. So during that partic -- I was not  
21 there.

22 THE COURT: So what did you do?

23 THE PLAINTIFF: So at that point, when I reached to  
24 get her, Your Honor, the bracelet, because she was moving, the

1 bracelet cut her head. But she has -- they have to change  
2 narrative, because it's -- it -- it affects the divorce  
3 process. It affects everything. So they're going to sit  
4 there, and they're going to make all these stories. Oh, she  
5 beats them with this, and she beats them with that. It's all  
6 at -- at his word, with telling them, as well as my mother.

7 THE COURT: Well, CPS ain't got no stake in this --

8 THE PLAINTIFF: No, but it's --

9 THE COURT: -- they don't know you, they don't know  
10 him.

11 THE PLAINTIFF: -- it's what was being told to them,  
12 because even I sent an email I've included in the records that  
13 said, hey, I haven't talked to the kids or seen them, but the  
14 CPS worker says, well, the kids says they've been talking to  
15 you and seeing you regularly. And I'm like, that's not true.

16 THE COURT: Did you grab your mother by her throat?

17 THE PLAINTIFF: That's not true. Your Honor, that  
18 is not true. That is not true. My mother --

19 THE COURT: And nobody --

20 THE PLAINTIFF: -- slapped -- Your Honor, my mother  
21 slapped me, scratched my hand, and I pushed her out of my  
22 face. Because we were home, and she came in yelling and  
23 screaming, while myself and the children were there. So all  
24 of this was all orchestrated, because he was outside.



1 THE COURT: Sorry.

2 THE PLAINTIFF: It was all orchestrated, Your Honor,  
3 because he was outside, she came in, started yelling and  
4 screaming about me kicking him out, and asking him to leave.  
5 She smacked me, scratched my hand, and I pushed her out of my  
6 face. I did not grab her throat. I did not do any of that.  
7 So it's all a lie, what they're saying.

8 THE COURT: Uh-huh.

9 THE PLAINTIFF: So no, I have not spoken --

10 THE COURT: Do you  
11 corporally punish your kids?

12 THE PLAINTIFF: Pardon?

13 THE COURT: Corporal punishment.

14 THE PLAINTIFF: No, I don't. I will take TV for a  
15 month. I took her cell phone, Abigail's cell phone for one  
16 year. I took her door off, her phone. I don't beat up on  
17 these kids. I'll take the game away. I don't beat up on  
18 these kids, as I claim that I beat up on them. I don't do  
19 that. I don't. I take TV away, I take games away, I took  
20 cell phone, I take the door if she slammed the door --

21 THE COURT: Uh-huh.

22 THE PLAINTIFF: -- stuff like that. But I don't  
23 what -- what you're claiming.

24 THE COURT: Okay. How long ago was your appeal

1 filed with CPS?

2 THE PLAINTIFF: It was filed immediately, and I did  
3 have a check on it, and she states that --

4 THE COURT: You got --

5 THE PLAINTIFF: -- there's 72 cases ahead of it --

6 THE COURT: -- (indiscernible). Yeah.

7 THE PLAINTIFF: Yes.

8 THE COURT: You guys got to get your records at DFS.

9 THE PLAINTIFF: Yes, ma'am.

10 THE COURT: Matthew wasn't afraid of anyone in the  
11 home. Elisha claims he's safe in the home with Dad, and that  
12 he fear -- has a fear of his mother. Abigail, she feared her  
13 mother because of the extreme discipline. And she fears her  
14 mother. And then Herman Williams is a -- 10 years old.  
15 Things changed when Mom got a new boyfriend, Steve (ph).  
16 Herman's saying this. Herman thinks his mother staying at Ms.  
17 Paula's (ph) house, which is Steve's mother, but didn't say  
18 anything about whether he's afraid of her or not. Just --  
19 just kind of ended it there.

20 They talked with you? They talked with you, and  
21 they said you presented as very paranoid and emotionally  
22 unstable.

23 THE PLAINTIFF: Your Honor, I was --

24 THE COURT: How long did they interview you since

1 the incident?

2 THE PLAINTIFF: -- I -- I went there on the same day  
3 that I came home and he was emptying my house and taking the  
4 children.

5 THE COURT: That --

6 THE PLAINTIFF: And I went on the same day. Of  
7 course I'm going to be -- I mean, be -- because of what's  
8 going on. And all of this started when I asked him for  
9 divorce.

10 THE COURT: You asked him?

11 THE PLAINTIFF: I asked him for a divorce. I asked  
12 him to move out. I asked him to do all of this, because I was  
13 just exhausted and tired of the situation. And all of a  
14 sudden, my kids are unsafe. And all of a sudden, my kids are  
15 this, and all of a sudden, my kids are that.

16 THE COURT: Uh-huh.

17 THE PLAINTIFF: It's him and my mom.

18 THE COURT: But I don't know if CPS talked to the  
19 doctor. Did you talk to that doctor? Were you aware of that  
20 doctor?

21 THE PLAINTIFF: No, ma'am, I was not. There was --  
22 there was -- and on this particular incident, Your Honor,  
23 happened Febu -- happened March of 20 -- I'm going to say  
24 2018. March of --

1 THE COURT: '19.

2 THE PLAINTIFF: No, no, no. March of 2018. That is

3 when the incident where her -- her head got that cut, March of

4 2018. Since then, I mean, March of -- that's when it

5 occurred. March of 2018, when I was in Jamaica, and then I

6 came back.

7 THE COURT: I'm reading the records --

8 THE PLAINTIFF: That's what I'm saying, Your Honor.

9 It's not being truthful. Because that incident that your

10 current -- talking about is March of 2018 --

11 THE COURT: This all started February --

12 THE PLAINTIFF: No. The incident where the gash on

13 the head. The --

14 THE COURT: You got the medical records? You're

15 going to go get me the medical records, right, Dad?

16 THE DEFENDANT: The -- that incident with her head

17 bust open --

18 THE COURT: Yeah.

19 THE DEFENDANT: -- it was in August -- I mean, not

20 in August. It was in 2017. I was in New York. It wasn't --

21 it wasn't in '18, it was 2017.

22 THE COURT: I see. But --

23 THE DEFENDANT: When I called home --

24 THE COURT: But this 2019 stuff related to -- to

1 what?

2 THE DEFENDANT: The 2019?

3 THE PLAINTIFF: Nothing.

4 THE COURT: The 2019 stuff.

5 THE PLAINTIFF: Because I didn't touch my children.

6 THE DEFENDANT: It's related to now.

7 THE COURT: Yeah. They saw the scar on her head.

8 THE DEFENDANT: And the -- all the records is here

9 except for -- except for that. But --

10 THE COURT: So why -- the substantiation was for

11 what, physical abuse on the children?

12 THE DEFENDANT: Physical abuse and mentally abused.

13 THE COURT: Okay. And then you did -- you took --

14 CPS recommended they go for counseling. You took them to

15 counseling --

16 THE DEFENDANT: It was the doctor referred. The

17 Dr. Jackson (ph) that they had --

18 THE COURT: Uh-huh.

19 THE DEFENDANT: -- their physical doctor --

20 THE COURT: And you are --

21 THE DEFENDANT: -- she referred all of them.

22 THE COURT: -- in the process of finding a new

23 counseling for the children?

24 THE DEFENDANT: Yeah. That's what -- well, she --

1 let me go back. Abigail go back every three months. She go  
2 back October, and she'll let me know.

3 THE PLAINTIFF: So this is what I'm saying, Your  
4 Honor. This particular incident with the head happened three  
5 years ago --

6 THE COURT: Right.

7 THE PLAINTIFF: -- but all of a sudden, I'm having  
8 headaches and dizziness and blah, blah, blah, three -- almost  
9 three years after.

10 THE DEFENDANT: She been having headaches every day.

11 THE PLAINTIFF: Two years -- stop. Stop.

12 THE DEFENDANT: But if she's not home, she don't  
13 know.

14 THE COURT: Let Mom finish, Dad. I let you talk.  
15 So let Mom finish.

16 THE PLAINTIFF: So all of this, Your Honor, this --

17 THE COURT: (Indiscernible).

18 THE PLAINTIFF: -- is what I'm saying. Everything  
19 was fine. He did threaten -- the -- the only way they decided  
20 to take him in was because he did repeat to them that he did  
21 say he was going to shoot himself. And that's the only reason  
22 they put him on a 72 hour psych hold.

23 THE COURT: That's probably right.

24 THE PLAINTIFF: That's the only reason. Okay? And

1 then after that, I asked him for a divorce, that he needed to  
2 leave. I packed his stuff, put them downstairs. I told him  
3 I'm giving him until March 1st to move out, because I couldn't  
4 do it anymore. He did take my gun again, okay, and then he  
5 did threaten me. I was like brought down, I was like, I'm not  
6 going to have a conversation with you with a loaded weapon.

7 THE COURT: Uh-huh.

8 THE PLAINTIFF: So he has constantly held me  
9 emotionally hostage. I don't sit there -- and yes, I did say  
10 to the -- the daughter, to Abigail --

11 THE COURT: Uh-huh.

12 THE PLAINTIFF: -- I said, you know what? I don't  
13 want you to marry someone like your father. I did say that.  
14 That is the only thing I've ever said, because I said, you  
15 know what? I don't want you to have the same struggles I had.  
16 And I sat there, and I explained it to her. I sat there and I  
17 explained it to her, because I've gone through a lot. I don't  
18 sit there, and I don't have a conversation that's, you know,  
19 negative and oh, your father did this, or your fa -- I've  
20 never done that. Never done that.

21 THE COURT: The kids should probably have their own  
22 attorney, also, like a guardian ad litem, because Mom and Dad  
23 are fighting, and they got, you know, their issues they got to  
24 worry about. But maybe -- I'm thinking about it, but let me

1 look at the observation report first, and see if I can get an  
2 attorney appointed for the kids, to take them out of this  
3 conflict between both of you. Between now and when we come  
4 back to court; number one, did we pick a court date and when  
5 we're supposed to come back? That September was a bad one.

6 (COURT AND CLERK CONFER BRIEFLY)

7 THE COURT: All right. You guys are going to go  
8 sign up downstairs; number one. Number two, you're going to  
9 bring the kids for the interview and the observation for July  
10 30th at what time?

11 THE CLERK: 1:00 p.m.

12 THE COURT: 1:00 p.m. And then they're going to  
13 start school, and then you guys are going to come back to  
14 court. The kids go to school, and we'll bring you in on  
15 August 28th at what time?

16 THE CLERK: 10:00 a.m. It's a busy morning.

17 THE COURT: Oh, no.

18 (COURT AND CLERK CONFER BRIEFLY)

19 THE PLAINTIFF: I'm sorry, when you say --

20 THE COURT: Monday morning, I'm going to put you in.  
21 You like a Monday or a Tuesday morning at 8:45 a.m.

22 THE PLAINTIFF: Monday is fine, Your Honor.

23 THE COURT: And, Dad, you're going to get the kids  
24 to school?



1 THE DEFENDANT: Yeah.  
2 THE COURT: Can you be here by 8:45?  
3 THE DEFENDANT: Yeah.  
4 THE COURT: Or 9:00?  
5 THE DEFENDANT: I can be here.  
6 THE COURT: Okay. 8:45. Mom -- Mom's okay with  
7 Monday. You come on Monday, August 26th at 8:45. You're  
8 going to have to speed read the report. Okay? And -- but  
9 we're going to talk about the report. Between now and the  
10 next -- in the next basically four weeks, I want Mom to have a  
11 weekly visitation with the children. And let me see. Usually  
12 it's only been for a couple hours. And, Dad, you work?  
13 THE DEFENDANT: Yes.  
14 THE COURT: So who watches? The grandmother?  
15 THE DEFENDANT: Grandmother, the boys be with me,  
16 and daughter be at home.  
17 THE COURT: Okay.  
18 THE DEFENDANT: But usually, they be with me now.  
19 Because I won't leave them all on my daughter at one time.  
20 Because she 14, but I don't leave them -- they stay with me  
21 every --  
22 THE COURT: Oh, yeah.  
23 THE DEFENDANT: -- day.  
24 THE COURT: Yeah.

1 THE DEFENDANT: So they be with me every day. Days  
2 that my mother-in-law's home --  
3 THE COURT: The boys --  
4 THE DEFENDANT: -- which is on Friday --  
5 THE COURT: -- go with you to work?  
6 THE DEFENDANT: Yeah. Every day.  
7 THE PLAINTIFF: Your Honor, I -- I offered --  
8 THE COURT: In the tow truck?  
9 THE DEFENDANT: Huh?  
10 THE COURT: In the Chevy truck?  
11 THE DEFENDANT: In the flatbed.  
12 THE COURT: In your flatbed --  
13 THE DEFENDANT: Back seat. Well, it's not my  
14 flatbed --  
15 THE PLAINTIFF: Your --  
16 THE DEFENDANT: -- it belongs to another guy. I'm  
17 working and driving his flatbed, because the insurance got  
18 cancelled on the truck.  
19 THE PLAINTIFF: Your Honor --  
20 THE DEFENDANT: So by the insurance got cancelled,  
21 they threw my --  
22 THE COURT: It's a four seater, six seater, what?  
23 THE DEFENDANT: It's extended cab.  
24 THE COURT: Oh, okay.

1 THE DEFENDANT: So it's front seat, and you can hold  
2 four in the back. Seatbelts in the back.

3 THE COURT: Okay.

4 THE PLAINTIFF: I offered to help with -- see if we  
5 can put the kids in summer camp.

6 THE COURT: Uh-huh.

7 THE PLAINTIFF: Nothing.

8 THE COURT: Nothing?

9 THE PLAINTIFF: I said both of us come together,  
10 because when I spoke to them --

11 THE COURT: You mean like YMCA or the Boys and Girls  
12 Club --

13 THE PLAINTIFF: Right. Because when I spoke to  
14 them, there was a camp open, and I spoke to the kids, and  
15 they're like, oh, we only went to --

16 THE COURT: For eight hours a day, tagging along  
17 with Dad --

18 THE PLAINTIFF: Yes.

19 THE COURT: -- is probably --

20 THE PLAINTIFF: And this is what I'm saying. His  
21 hatred is just -- it's not in the best -- kids' best interests  
22 --

23 THE COURT: Okay. Hold on, hold on --

24 THE PLAINTIFF: -- because --

1 THE DEFENDANT: She asked me about the camp. I told  
2 her -- I texted her back, and I said, you pay for it. Since I  
3 had the kids since March --  
4 THE COURT: Oh, so you --  
5 THE DEFENDANT: -- she haven't gave no money for  
6 those kids. I'm not going to take on another bill. I just  
7 took on another bill, my daughter's mouth, with her braces in  
8 her mouth.  
9 THE COURT: Depends on what the text messages say.  
10 Did you offer to pay for them?  
11 THE DEFENDANT: It -- she --  
12 THE PLAINTIFF: I --  
13 THE DEFENDANT: She said, we both should pay for it,  
14 and I said, no. You offered, you pay for it. And I left it  
15 alone.  
16 THE PLAINTIFF: Your Honor --  
17 THE DEFENDANT: Hang my phone up, didn't answer her  
18 no more.  
19 THE COURT: Uh-huh.  
20 THE PLAINTIFF: Your Honor, I did say, can we put --  
21 because when I spoke to them, that was the last time I spoke  
22 to them. I said, hey, they said they're home playing video  
23 games, or they're --  
24 THE COURT: How you -- who's going to pay for it?

1 THE PLAINTIFF: Well, I said -- I said to him, both  
2 of us. I think we both should pay for it --  
3 THE COURT: That's why you can't agree, so you can't  
4 agree.  
5 THE PLAINTIFF: Because then that's what I said,  
6 hey, can we both pay for them, because having them either at  
7 home --  
8 THE COURT: And you work a lot of --  
9 THE PLAINTIFF: -- I didn't know that they were --  
10 THE COURT: -- shifts right now --  
11 THE PLAINTIFF: I work a lot of shifts right now,  
12 and I said, I think we both should pay for it, because I can't  
13 afford it. I'm paying for the truck he's driving now, I'm  
14 paying for it.  
15 THE COURT: That's going to be a big issue with --  
16 THE PLAINTIFF: So I can't --  
17 THE COURT: -- the divorce --  
18 THE PLAINTIFF: So I can't afford to pay for  
19 anything else, but at the same time, I'm -- to have the kids  
20 then sit at home --  
21 THE COURT: Kids being towed around --  
22 THE PLAINTIFF: -- isn't --  
23 THE COURT: -- in a tow truck --  
24 THE PLAINTIFF: I have a couple --

1 THE COURT: -- the last days of summer is probably  
2 not what a normal kid should expect for summer vacation.

3 THE DEFENDANT: We go --

4 THE COURT: So you're either going to have to  
5 provide day care, but the grandmother's there, watching the 14  
6 year old, correct?

7 THE PLAINTIFF: No.

8 THE DEFENDANT: She's watch -- no.

9 THE COURT: But she can't handle three more younger  
10 ones?

11 THE DEFENDANT: No, the grandmother's off twice a  
12 week. This week she's off three times. So the three times  
13 that she's off, they're all in the house.

14 THE COURT: They're all in the house with her.

15 THE DEFENDANT: When she's -- when she works, she  
16 gets out at 2:00 --

17 THE COURT: How many days a week then you take them  
18 around in the truck?

19 THE DEFENDANT: I take them -- I -- I -- I go pick  
20 them up in the house quarter to 2:00, when I go pick up the  
21 grandmother. So they get one ride all the way down to Blue  
22 Diamond, and all the way back up to the house, back in the  
23 house with the grandmother. She gets off every day at 2:00.

24 THE COURT: In the afternoon?

1 THE DEFENDANT: In the afternoon. Because I -- I  
2 flex my hours.

3 THE COURT: So the kids are with you until 2:00?

4 THE DEFENDANT: No, they -- I don't come outside  
5 until 11:00 every day.

6 THE COURT: How many days a week you take the kids  
7 with you?

8 THE DEFENDANT: Maybe twice.

9 THE COURT: Two times a week --

10 THE PLAINTIFF: Now he's changing his story --

11 THE COURT: Two days a week?

12 THE DEFENDANT: Two days a week.

13 THE COURT: They run around in the truck with you?

14 THE DEFENDANT: Yeah.

15 THE COURT: And you got air conditioning in there?

16 THE DEFENDANT: Air condition. It's a brand new  
17 truck. It's a brand --

18 THE COURT: Oh --

19 THE DEFENDANT: -- new flatbed. Air conditioning  
20 and everything.

21 THE COURT: Okay.

22 THE DEFENDANT: Windows is tinted.

23 THE COURT: And what days are those usually?

24 THE DEFENDANT: It depends. Like, Friday, they're

1 coming, because they know I get paid on Friday.

2 THE COURT: Uh-huh.

3 THE DEFENDANT: So Friday, all of them will come.

4 THE COURT: Okay.

5 THE DEFENDANT: But most likely it'd be Matthew with  
6 me every day, and then when the grandmother gets off at 2:00,  
7 we pick her up from work at Walmart, then they go inside and  
8 go play video games with the rest of them.

9 THE PLAINTIFF: Your --

10 THE COURT: Is there a McDonald's near your houses?

11 THE PLAINTIFF: Yes, ma'am.

12 THE COURT: Or a Chuck E. Cheese, or some --

13 THE PLAINTIFF: There's a -- there's a McDonald's.  
14 The Chuck E. Cheese is a bit far out, but there is a --

15 THE COURT: Which side of town -- what intersection  
16 you live --

17 THE PLAINTIFF: Southern Highlands.

18 THE COURT: And you?

19 THE DEFENDANT: I live on the north side.

20 THE COURT: North town?

21 THE DEFENDANT: Uh-huh (affirmative). North side.

22 THE COURT: Oh, my gosh.

23 THE PLAINTIFF: He moved all the way up to Craig,  
24 Your Honor, so it -- it doesn't even facilitate trying to --



1 to say, okay, meet --

2 THE COURT: Moved to North Las Vegas.

3 THE PLAINTIFF: -- halfway, because he moved so far

4 away.

5 THE COURT: First of all, they going to start school

6 in your zone, in North Las Vegas.

7 THE DEFENDANT: Well, I tried -- I tried to leave

8 them in the schools where they was at, because I was taking

9 them there.

10 THE COURT: Yeah.

11 THE DEFENDANT: It's on the school now. I did the

12 -- the --

13 THE COURT: Well, that's far.

14 THE DEFENDANT: -- address verification --

15 THE COURT: That's a far ride.

16 THE DEFENDANT: I did it -- I did the whole rest of

17 school --

18 THE COURT: You go off and enroll them in your --

19 THE DEFENDANT: I did it. I did the -- the whole

20 rest of the year, because I wasn't going to take them out of

21 one --

22 THE COURT: Oh, I know. But now they're going to

23 start in your zone for this time, until we go to trial in

24 February.

1 THE DEFENDANT: I mean --

2 THE COURT: You're going to have to -- you got  
3 primary care. I hate for kids to switch schools, lose all  
4 their friends and classmates --

5 THE DEFENDANT: That's why -- that's why I tried to  
6 leave them there --

7 THE COURT: And then if we go to trial, and then if  
8 you get custody, great, they stay in that same school. If Mom  
9 gets custody, they go back to Southern Highlands, or I don't  
10 know if we can do a 50/50 custody because you moved clear  
11 across town from her. So I don't know. But for now, you got  
12 primary, so you'll have to enroll them in your school --

13 THE DEFENDANT: All right.

14 THE COURT: -- in your zone. And have you  
15 registered them, or kept them in the same schools?

16 THE DEFENDANT: I've registered them for this year  
17 coming --

18 THE COURT: Uh-huh.

19 THE DEFENDANT: -- in the same schools they was at.

20 THE COURT: Oh, they did. Man, you're going to --

21 THE DEFENDANT: But I don't know yet. I don't know  
22 yet, because they said they have to wait until -- wait until  
23 school start.

24 THE COURT: Uh-huh.

1 THE DEFENDANT: And then they got to go to District  
2 11 because that's the zone that we in.

3 THE COURT: Yeah.

4 THE DEFENDANT: So they didn't send me no papers yet  
5 in the mail saying they didn't accept them --

6 THE COURT: Uh-huh.

7 THE DEFENDANT: But I did all the paperwork. Herman  
8 supposed to go --

9 THE COURT: Yeah.

10 THE DEFENDANT: -- at the end of this month --

11 THE COURT: They don't let -- the school district,  
12 they do their own thing, so I can't order them to go whatever  
13 school they go to. So either go in your school zone, or if  
14 you wanted to leave them in your old zone, that's a heck of a  
15 drive, unless they bus there --

16 THE DEFENDANT: The -- no, they're not going to bus  
17 them. The only reason I did that, because my mother-in-law  
18 still works in Walmart. So she got to go to work everyday, so  
19 --

20 THE COURT: In -- over there anyway?

21 THE DEFENDANT: Yeah, on Blue Diamond. So that's  
22 why I just left them there.

23 THE COURT: That's nice of her to help.

24 THE DEFENDANT: I pick everybody back up.

1 THE COURT: Okay. All right. I just need to do a  
2 temporary visitation plan. I'm way overdue. No lunch, and my  
3 trial's supposed to start 15 minutes ago.

4 THE DEFENDANT: Sorry.

5 THE COURT: No, it's not your fault. But, you know,  
6 I take time with every case. That's why you had to wait. I  
7 take time to listen to both of you, but I'm not judging either  
8 one of you today. That day will come in February. But I'll  
9 bring it back and see how the kids do with Mom, observation.  
10 You got to keep them in counseling.

11 Obviously, this whole medication issue, I would say  
12 a parent has a right to raise their children and make these  
13 decisions, but if a doctor says it's medically necessary, you  
14 can't override that, or that's going to be -- that's -- I  
15 mean, that's -- that's going to be question of fact. If --  
16 you know, I got parents for religious reasons, they don't want  
17 their kids to have blood transfusions, and so sometimes,  
18 Courts override that to save a kid's life, I guess, or is it  
19 one of those type of situation that is it optional, then I  
20 need to hear it from the doctor, if it's optional that this  
21 medication is optional, and you try other things.

22 So going around for a second opinion, there's  
23 nothing wrong with that, and you got to -- you got to keep me  
24 apprised of that, see what's going on with that. All the kids

1 are going to counseling?

2 THE DEFENDANT: Yeah, they all -- all go but --

3 THE COURT: So can you get a letter from their

4 counselor or counselors, and tell me how many sessions they've

5 gone to. Not what they talk about, that's confidential. But

6 how many sessions they've gone to, and how many more sessions

7 they might need?

8 THE DEFENDANT: All right.

9 THE COURT: Okay.

10 THE PLAINTIFF: Your Honor, I did do a -- a motion

11 last week --

12 THE COURT: So that's an order --

13 THE PLAINTIFF: -- to request --

14 THE COURT: -- Dad will get me counselor --

15 THE PLAINTIFF: -- right, to request mandatory

16 counseling for the children, based on just the conversations

17 I've --

18 THE COURT: Right. Now --

19 THE PLAINTIFF: -- had with them --

20 THE COURT: -- you probably would need to go through

21 unification counseling with either two, three, or four of the

22 children. They -- that costs 150 a session or more. I'm not

23 -- don't quote me on it. But I can give you the list of

24 providers, and you can start looking at their resumes, and

1 then --

2 THE PLAINTIFF: And does it --

3 THE COURT: -- tell me who you want --

4 THE PLAINTIFF: -- it's not through the --

5 THE COURT: -- to go with. There's people --

6 THE PLAINTIFF: -- through my insurance?

7 THE COURT: -- like Donna Wilburn, Nicolas Ponzio,

8 Donna Gosnell, Claudia Schwartz, Katie Steinkamp, those people

9 there do reunification. Give them the list for reunification.

10 That is separate from the children's individual counseling.

11 THE PLAINTIFF: Okay.

12 THE COURT: But this is a pay.

13 THE PLAINTIFF: Okay.

14 THE COURT: So per session, and I don't know how

15 many sessions it would take. You're looking at about a couple

16 hundred a session. I don't know. You go price it out, you

17 call them. Give them the provider list now. And then also,

18 on the provider list, there's a column that says -- is this

19 the one -- can never find -- I'll search providers. That's

20 the one. There's a column, it says reunification. That's the

21 column you want to be in.

22 THE PLAINTIFF: Okay.

23 THE COURT: You see these columns? There's a chart.

24 THE PLAINTIFF: Thank you.

1 THE COURT: Third from the right. You see that?  
2 THE PLAINTIFF: Yes.  
3 THE COURT: Is that a yes?  
4 THE PLAINTIFF: Yes.  
5 THE COURT: Call them up, how much you charge, cash  
6 pay basis, and --  
7 THE PLAINTIFF: Okay.  
8 THE COURT: -- when can you make your first  
9 appointment. And --  
10 THE PLAINTIFF: Okay.  
11 THE COURT: -- I will tell Dad that he has to -- he  
12 must cooperate and bring them to these therapeutic  
13 reunification counseling. That's for Mom and the kids. The  
14 kids that you -- that you enroll them with, that's for their  
15 individual counseling. You follow?  
16 THE DEFENDANT: Yes.  
17 THE COURT: So Mom's going to pay her own  
18 reunification with the kids. Could be one, two, three, or  
19 four.  
20 THE PLAINTIFF: Okay.  
21 THE COURT: I know for sure probably the 14 and the  
22 10. The other ones are fine.  
23 THE PLAINTIFF: Well, it's the -- actually, it's the  
24 --

1 THE COURT: It said Matthew wasn't scared --  
2 THE PLAINTIFF: -- Matthew --  
3 THE COURT: -- of you --  
4 THE PLAINTIFF: No, that's Herman.  
5 THE COURT: -- Herman was, Abigail was, and I don't  
6 know they said about other -- Elisha didn't make any  
7 statements. But look, I only go with what's on the records.  
8 THE PLAINTIFF: I understand.  
9 THE COURT: And I'm trying to help. So when you --  
10 if you -- if your kids mean more than anything, you set aside  
11 all your priorities, financially, and you pay for the  
12 reunification counselor.  
13 THE PLAINTIFF: Okay.  
14 THE COURT: And that's going to expect cooperation  
15 from the Dad, at least to bring them to appointments.  
16 THE PLAINTIFF: Okay.  
17 THE COURT: And, Dad, you're welcome to talk to them  
18 and tell them, I'm the dad, you need anything from me? I can  
19 give you background of what's going on. And you can send them  
20 your paperwork, you can ask them -- ask Judge Moss for the CPS  
21 records, we'll email it to them. We work -- they work with  
22 the courts, we work with them. But you pay for it.  
23 THE PLAINTIFF: Okay.  
24 THE DEFENDANT: Can I just ask you one question?



1 THE COURT: Uh-huh. I know you got your hands full  
2 with four kids, but you got to make time for these sessions.

3 THE DEFENDANT: It's not the point of the time. I  
4 can make the time.

5 THE COURT: Good.

6 THE DEFENDANT: I don't want to have -- don't call  
7 me the day before and tell me I have to be here tomorrow.

8 THE COURT: Okay.

9 THE DEFENDANT: Because then it -- it's not going to  
10 happen. I just can't do that.

11 THE COURT: Mom, when you set these appointments  
12 out, they're at least two weeks out.

13 THE PLAINTIFF: Okay.

14 THE COURT: You have a -- you use a phone pretty  
15 well?

16 THE DEFENDANT: My cell phone?

17 THE COURT: Cell phone.

18 THE DEFENDANT: Yeah.

19 THE COURT: AppClose A-p-p-c-l-o-s-e. I want you  
20 all to use AppClose. There's a calendar function. You plug  
21 in the calendar --

22 THE DEFENDANT: A what?

23 THE COURT: -- and then you check it, and it'll send  
24 you alert -- appointments at. So put --

1 THE PLAINTIFF: Okay.

2 THE COURT: -- it in the AppClose calendar.

3 THE PLAINTIFF: Okay.

4 THE COURT: Okay? You could follow up also with a

5 live text through AppClose. You text Dad through AppClose.

6 Check the calendar, I put an appointment in there for me and

7 the kids.

8 THE PLAINTIFF: Can I --

9 THE COURT: Okay?

10 THE PLAINTIFF: Can I be notified, because as I

11 said, I don't know what's medically going on. Can I be

12 notified? He must let me know what is medically going on with

13 these children, because I don't know. I don't know if they're

14 being taken to doctors --

15 THE COURT: You do have --

16 THE PLAINTIFF: -- I cover --

17 THE COURT: -- joint legal custody, so you have a

18 right to know about their schooling and their medical.

19 THE PLAINTIFF: Okay.

20 THE COURT: So what that means, talk to a lawyer

21 about it.

22 THE PLAINTIFF: Okay. I --

23 THE COURT: You do have rights to know, but you

24 don't have rights to interfere with their counseling.

1 THE PLAINTIFF: Okay.

2 THE COURT: Right now, Dad's got primary, so he  
3 takes the lead on making appointments --

4 THE PLAINTIFF: Uh-huh (affirmative).

5 THE COURT: -- selecting the doctors. But you have  
6 a right to the medical records --

7 THE PLAINTIFF: Okay.

8 THE COURT: -- as the parent.

9 THE PLAINTIFF: Okay.

10 THE COURT: School records, you'll be listed as an  
11 emergency contact, obviously, and as a non-custodial parent.

12 THE PLAINTIFF: Uh-huh (affirmative).

13 THE COURT: And you have a right to talk to the  
14 teachers as the parent --

15 THE PLAINTIFF: Okay.

16 THE COURT: -- and get your own campus portal and  
17 all that.

18 THE PLAINTIFF: I -- I do have that, so I -- I -- I  
19 keep abreast of --

20 THE COURT: Okay. I'm limited on time.

21 THE PLAINTIFF: Sorry. Just one more thing --

22 THE COURT: The visitation -- you're going to have  
23 to hang on. We're bringing you back on August -- a month --  
24 THE PLAINTIFF: 26th.

1 THE COURT: -- or four weeks. So for the next four  
2 weeks, I want you to -- which is easier for you, Saturdays or  
3 Sundays? Saturdays or Sundays availability, Dad?  
4 THE DEFENDANT: They go to church Sundays.  
5 THE COURT: Huh?  
6 THE DEFENDANT: I'd prefer Saturdays. They go to  
7 church on Sunday.  
8 THE COURT: Okay.  
9 THE DEFENDANT: So I'd say Saturdays --  
10 THE COURT: So Saturdays --  
11 THE PLAINTIFF: And I go to church on Saturdays --  
12 THE COURT: -- what's their -- Saturdays from like,  
13 I don't know, 11:00 to 1:00, they can meet for lunch  
14 somewhere, and --  
15 THE PLAINTIFF: I go to church on --  
16 THE COURT: -- you can drop them off?  
17 THE PLAINTIFF: -- I go to church on Saturdays, Your  
18 Honor.  
19 THE COURT: What time is church?  
20 THE PLAINTIFF: 9:00 in the morning.  
21 THE COURT: You'll be done by when?  
22 THE PLAINTIFF: 2:00 in the --  
23 THE COURT: 12:00?  
24 THE PLAINTIFF: -- in the afternoon.

1 THE COURT: 2:00?  
2 THE PLAINTIFF: Uh-huh (affirmative).  
3 THE COURT: That's a long church.  
4 THE PLAINTIFF: Seventh Day Adventist.  
5 THE COURT: You're not willing to give up some  
6 church to go see your kids?  
7 THE PLAINTIFF: They used to come with me to church,  
8 Your Honor, but I could make some changes.  
9 THE COURT: You got a problem with her church, sir?  
10 THE DEFENDANT: Yes, I do. She hasn't been to  
11 church since they -- since them kids been gone.  
12 THE PLAINTIFF: How you know that?  
13 THE DEFENDANT: Because --  
14 THE COURT: Maybe she's going -- maybe she's going  
15 back up to church again.  
16 THE DEFENDANT: That's what -- that's what we going  
17 to go through, Your Honor, the excuses.  
18 THE PLAINTIFF: Oh, God.  
19 THE COURT: I don't need you guys to fight --  
20 THE DEFENDANT: I can --  
21 THE COURT: -- I just want to ask if you got a  
22 problem with dropping the kids off at her church, and they can  
23 sit with her in church.  
24 THE DEFENDANT: No --

1 THE COURT: But I don't like kids sitting in church  
2 for five hours.

3 THE DEFENDANT: No --

4 THE PLAINTIFF: I --

5 THE DEFENDANT: Nah. I mean --

6 THE PLAINTIFF: I wouldn't -- I wouldn't put them --

7 THE COURT: Are you willing to give up church to go  
8 have time with your kids? You guys are like, kids yourselves,  
9 can't figure it out.

10 THE DEFENDANT: I said I would do Sundays. I will  
11 do Sundays, I will do Saturdays, but --

12 THE COURT: You told me Sundays they got church.

13 THE DEFENDANT: -- Sundays -- Sunday, they get out  
14 of church at 12:00.

15 THE COURT: Okay.

16 THE DEFENDANT: 12:00. They go from 9:30 to 12:00  
17 --

18 THE COURT: Then she don't do church on -- her  
19 church is on Saturdays, so Sundays are good. So 1:00?

20 THE DEFENDANT: I have no problem.

21 THE COURT: So they go to Sunday church with you,  
22 they get out at 12:00, and they'd be ready to go, or do you  
23 got to change out of the Sunday clothes?

24 THE DEFENDANT: No, they wear their regular clothes.

1 THE COURT: They ready to go? Okay. 1:00  
2 somewhere, or 12:30? Where y'all want to meet? This is just  
3 every Sunday until we come back to court.  
4 THE DEFENDANT: Well --  
5 THE COURT: It's a order --  
6 THE DEFENDANT: -- I tell you what --  
7 THE COURT: -- so Dad will have to bring them. And  
8 so where's your church at?  
9 THE DEFENDANT: They church is right by her house.  
10 Right at Blue Diamond, at Herman and Matthew's school.  
11 THE COURT: Okay.  
12 THE DEFENDANT: So they can go to McDonald's --  
13 THE COURT: Uh-huh.  
14 THE DEFENDANT: -- at Walmart, right on Blue  
15 Diamond.  
16 THE COURT: That's where you're going to go,  
17 McDonald's. Inside the Walmart --  
18 THE PLAINTIFF: Can we do --  
19 THE DEFENDANT: No, it's outside the Walmart.  
20 THE COURT: The McDonald's --  
21 THE PLAINTIFF: Can --  
22 THE COURT: -- outside the Walmart?  
23 THE DEFENDANT: It's on Blue Diamond and Rainbow.  
24 THE PLAINTIFF: Can we do McDonald's and Southern

1 Highlands, Your Honor, because then it's by their school. To  
2 do Walmart, it's going the opposite direction, away from the  
3 church. So there's a wal -- there's a -- there's a McDonald's  
4 --

5 THE COURT: That's what he said, is the Walmart by  
6 your house.

7 THE PLAINTIFF: No, the Walmart is going the  
8 opposite direction with that McDonald's. Where the kids'  
9 school are, where they go to church, there's a --

10 THE COURT: What does school have to do with you  
11 seeing them --

12 THE PLAINTIFF: That's where the church --

13 THE COURT: -- on Sundays?

14 THE PLAINTIFF: No, that's where their church is.  
15 Their church is by their -- in their school.

16 THE COURT: Oh, he don't know which McDonald's?

17 THE PLAINTIFF: So there's a McDonald's two blocks  
18 down the road on Southern Highlands.

19 THE COURT: From the church?

20 THE PLAINTIFF: From the church.

21 THE COURT: Your church?

22 THE PLAINTIFF: He doesn't go. He -- they go with  
23 my mom.

24 THE DEFENDANT: And the reason I say Walmart,



1 because I go sit inside Walmart, there in McDonald's. It  
2 don't make no sense for me to drive all the way back across to  
3 North Town --

4 THE COURT: So you can get your grocery shopping and  
5 everything in?

6 THE DEFENDANT: Yeah.

7 THE COURT: So you still have a --

8 THE DEFENDANT: So that's why I say they can go to  
9 the McDonald's right by Walmart. I have no problem with it.  
10 Why then I drop them there, then I got to go all the way up  
11 back up that way to get him, when I could stay --

12 THE COURT: And is it three or four?

13 THE DEFENDANT: -- there in the store. Huh?

14 THE COURT: Is it three kids or four kids?

15 THE DEFENDANT: It's four kids.

16 THE COURT: They go with their mom for two hours.

17 THE DEFENDANT: Every Sunday.

18 THE COURT: That's the one. It's going to be 12:30  
19 or 1:00?

20 THE DEFENDANT: It could be 12:30.

21 THE COURT: 12:30 to 2:30 every Sunday until we get  
22 back to court.

23 THE DEFENDANT: 12:30 --

24 THE COURT: And Dad can do his grocery shopping and

1 get his errands done. 12:30 to 2:30. And you guys are going  
2 to text each other on the AppClose. Okay? Regular texts. If  
3 there's an emergency -- you talk about the kids only. If you  
4 talk about something else, criticizing them about money, you  
5 did this to me, did that, you got a boyfriend, whatever --  
6 that better not be in here. If you do, you violate my  
7 behavior order, which I'm going to sign right now. This is  
8 what it looks like to me. Six-page behavior order.

9           You violate one of these, I'm going to put you in  
10 jail. I could if I wanted to, if you did it on purpose, to  
11 harass me or waste my time in court. If they got to come back  
12 and say, look, I got this picture -- I'm sorry, I got this  
13 audio recording, if you come around each other -- by the way,  
14 I'm going to authorize it. Turn the recorder on your phone,  
15 put in your pocket.

16           I want no more he said, she said and drama. If he  
17 say -- if he's calling you names, or you calling him names,  
18 better have it on recording. I'm not going to hear none of  
19 it, he said, she said. Or video. If they're getting in your  
20 face, go ahead, video it, because you need that evidence.  
21 Because we find out who the liar is, come here in my  
22 courtroom.

23           THE PLAINTIFF: I do have video --

24           THE COURT: So you have a right to audio and video

1 record. Preferably discreetly. You don't want it to cause  
2 more drama in front of the kids. I don't know what they've  
3 been exposed to.

4 THE PLAINTIFF: But I do have audio recordings  
5 already, Your Honor.

6 THE COURT: But you're supposed to be civil, and you  
7 drop the kids off and you go, and say, I'll be back, Dad'll be  
8 back in two hours. And you go buy them lunch, McDonald's Play  
9 Place whatever, and spend time with them. Now, you don't plan  
10 on leaving the premises, are you? Or you're going --

11 THE PLAINTIFF: Yes --

12 THE COURT: You're supposed --

13 THE PLAINTIFF: -- I mean, Your Honor, there's  
14 nothing -- there's a park there. There's nothing there except  
15 McDonald's and a Walmart.

16 THE COURT: Uh-huh.

17 THE PLAINTIFF: There's nothing there to entertain a  
18 child for two hours. There's Mountain's Edge Park that's a  
19 block up the road.

20 (COURT AND CLERK CONFER BRIEFLY)

21 THE PLAINTIFF: There's a -- there's a Mountain's  
22 Edge Park one block north of -- west of McDonald's --

23 THE COURT: Uh-huh.

24 THE PLAINTIFF: -- that I would take them to.

1 THE COURT: You can take them to the park. I'll  
2 authorize you to take them to the park, but get them back in  
3 two hours --

4 THE PLAINTIFF: Yes, ma'am.

5 THE COURT: -- flat. Don't be late --

6 THE PLAINTIFF: Yes.

7 THE COURT: -- and don't be late. She not there by  
8 1:00, go home. You don't know where she is. She's MIA. Go  
9 home if she's not there by 1:00. You be there at 12:30, on  
10 time.

11 THE PLAINTIFF: Yes, ma'am.

12 THE COURT: You get your two hours every Sunday  
13 until we come back to court. And you bring them back promptly  
14 at the McDonald's. But you're free to go wherever. You got a  
15 car --

16 THE PLAINTIFF: Okay.

17 THE COURT: -- and you got -- fit four kids in  
18 there?

19 THE PLAINTIFF: Yes. It's a truck.

20 THE COURT: Okay.

21 THE PLAINTIFF: You said --

22 THE DEFENDANT: I want to stipulate one thing. No  
23 house.

24 THE COURT: Every Sunday.

1 THE DEFENDANT: No house.  
2 THE COURT: Not going to her house.  
3 THE DEFENDANT: Not going to her house.  
4 THE COURT: There a guy living in there?  
5 THE DEFENDANT: Yeah.  
6 THE PLAINTIFF: There's no guy living in my house,  
7 Your Honor. I live by myself --  
8 THE COURT: He said, she said. So I don't know.  
9 THE PLAINTIFF: So that's what I'm saying --  
10 THE DEFENDANT: I have pictures.  
11 THE PLAINTIFF: So he's stalking me --  
12 THE COURT: Surveillance pictures?  
13 THE DEFENDANT: Yep.  
14 THE PLAINTIFF: Stalking me. I have no one living  
15 in my house. I have people who visit --  
16 THE COURT: Okay.  
17 THE PLAINTIFF: -- but I have no live in --  
18 THE COURT: For the -- until the next court date,  
19 not your house.  
20 THE PLAINTIFF: That's -- that's fine, Your Honor.  
21 THE COURT: I'm not judging you, ma'am, but --  
22 THE PLAINTIFF: He needs to stop stalking me. But  
23 one more thing, you said to go downstairs to sign up for what  
24 exactly?

1 THE CLERK: I'll take care of it. Step out, we got  
2 to go --  
3 THE COURT: Marvin got you guys. Wait --  
4 THE CLERK: -- to trial. Trial's waiting outside,  
5 Judge.  
6 THE COURT: -- for your paperwork. Wait for your  
7 paperwork.  
8 (PROCEEDINGS CONCLUDED AT 1:58:16)  
9  
10  
11 \* \* \* \* \*  
12 ATTEST: I do hereby certify that I have truly and  
13 correctly transcribed the digital proceedings in the  
14 above-entitled case to the best of my ability.  
15  
16  
17 /s/ Nita Painter  
18 Nita Painter  
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ORD

FILED IN OPEN COURT

July 22, 2019

STEVEN D. GRIERSON  
CLERK OF THE COURT

BY April Graham DEPUTY

APRIL GRAHAM

DISTRICT COURT  
CLARK COUNTY, NEVADA

Nadine Atecia Williams  
PLAINTIFF

CASE NUMBER: D-19-586291-D

DEPARTMENT: I

VS.  
Herman George Williams  
DEFENDANT.

Date of Conference: 7/22/19

Time of Conference: 10:00 AM

**CASE AND NON-JURY TRIAL MANAGEMENT ORDER**

This order sets forth critical dates and times for the major proceedings in this case. It is the responsibility of the attorneys, or the litigants (when appearing in proper person), to meet the deadlines and to appear for the following required proceedings:

CALENDAR CALL DATE:

N/A

NON-JURY TRIAL DATE:

2/4/20 @ 1:30 Stack 1

PRETRIAL MEMORANDUM DUE:

1/5/20

DISCOVERY CLOSES ON:

1/6/20

1  
2 This matter having come on for a Case Management  
3 Conference, pursuant to NRCP 16.2, in the Family Division, Department  
4 I, of the Eighth Judicial District Court, County of Clark, and Plaintiff,  
5 being represented by \_\_\_\_\_, and Defendant,  
6 being represented by \_\_\_\_\_, and the Court  
7 being fully advised in the premises, both as to subject matter as well as  
8 the parties thereto, and that jurisdiction is proper in Nevada, and good  
9 cause appearing, the court makes the following findings:  
10  
11  
12

13 The parties shall participate in the discovery process in good  
14 faith and may utilize all discovery methods, consistent with NRCP 16.2.  
15

16 Within 15 days of this Order, the parties shall submit a list of names  
17 of individuals who are likely to possess discoverable information  
18 regarding this action, consistent with NRCP 16.2(a)(2)(A) and a list of all  
19 documents provided at or as a result of the Case Management  
20 Conference consistent with NRCP 16.2(a)(2)(B).  
21  
22

23 The Pre-Trial Memorandum shall substantially comply with the  
24 form attached hereto including the Asset and Debt Schedules. Failure to  
25 submit the Pre-Trial Memorandum on or before this date, absent the  
26  
27  
28



1 Court's approval, will result in the trial date being vacated and the  
2 matter rescheduled in ordinary course and/or sanctions.  
3

4 **Failure to appear at the Calendar Call may result in a**  
5  
6 **default judgment, or other sanctions, consistent with**  
7  
8 **EDCR 2.69.**  
9

10 Counsel or proper person litigants are to provide the following  
11 to opposing counsel/proper person litigant with the following prior to  
12 the calendar call:  
13

- 14 1. List of witnesses
- 15 2. List of exhibits
- 16 3. Any other discovery items sought to be introduced at trial.  
17

18 **Failure to provide the above foregoing may result in**  
19  
20 **such witnesses, exhibits, or evidence being excluded or**  
21  
22 **other appropriate court-imposed sanctions against**  
23  
24 **counsel or party in proper person.**  
25

26 Any and all Exhibits and Witness Lists (a set of original exhibits  
27 ready for marking by the Clerk with a courtesy copy for the Court), must  
28

1 be delivered to chambers at least two (2) judicial days prior to trial for  
2 marking.  
3

4 Absent stipulation of the parties (and good cause appearing  
5 therefore), no continuances will be granted to either party unless written  
6 application is made to the Court, served upon opposing counsel, and a  
7 hearing held at least three (3) days prior to the time of trial. If this matter  
8 settles, please advise the Court as soon as possible.  
9  
10

11 IT IS HEREBY ORDERED that the above-stated findings are  
12 hereby adopted and confirmed as an order of this Court.  
13  
14

15 DATED this 20<sup>th</sup> day of July, 2019.  
16

17  
18 

19 **CHERYL B. MOSS**  
20 **District Court Judge**  
21  
22  
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27  
28

July 22, 2019

STEVEN D. GRIERSON  
CLERK OF THE COURTDISTRICT COURT  
CLARK COUNTY, NEVADA  
FAMILY DIVISION

APRIL GRAHAM

DEPUTY

Nadine Alecia Williams

Plaintiff,

Case No: D-19-5862 91-D

vs.

Dept No: 1

Herman George Williams

Defendant.

**BEHAVIOR ORDER**

The parties are hereby **ORDERED** to do, or not to do the following, as stated in this Order:

1. No abusive contact (foul language, name calling, etc.) including telephone calls, voicemails, letters, email, texts, all forms of social media, etc., to the other party or to the child(ren).
2. Avoid any unnecessary contact with the other party's "significant other" and friends not in common with you and do not initiate conflicts with them.
3. No unnecessary contact with other people associated with or to the other party for purposes of discussing court proceedings or making negative/disparaging allegations against the other party (this includes all forms of social media).

1 4. You will advise all of your friends, relatives and "significant other" not  
2 to disparage, criticize or harass the other party, and that co-parenting requires  
3 facilitating a positive relationship with the other party; that you could have your  
4 parenting time limited if you are unable to stop their negative behavior, and that  
5 you may be sanctioned if the Court finds that you are knowingly allowing them  
6 to violate the Behavior Order.  
7

8  
9 5. No harassment at the other party's place(s) of employment, including  
10 contacting the employer to make negative or disparaging allegations; or to send  
11 or drop off evidence as it relates to these court proceedings that appears  
12 reasonably designed to put them, or likely to put them in a bad light or to get  
13 them fired, or to have them suffer negative consequences as a result.  
14

15 6. No providing copies of unsolicited documents (personal letters, court  
16 pleadings, emails, texts, etc.) to anyone associated with a party (significant  
17 others, family members, neighbors, employers, etc.) for the intended purpose of  
18 shedding the other party in a negative light.  
19

20 7. Neither party shall post, nor shall you allow significant others or family  
21 members on social media to post, including, but not limited to, FaceBook,  
22 Twitter, YouTube, Instagram, LinkedIn, Tumblr, and Google+, any negative or  
23 disparaging allegation against or negative image of the other party or anyone  
24 associated with the other party.  
25  
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1 8. Pursuant to EDCR 5.301, you will not discuss any of the court issues or  
2 proceedings with the minor children; this includes showing them any part of the  
3 pleadings or attachments/exhibits (including audio and video) thereto; you will  
4 take every precaution to secure copies of pleadings safely away from the eyes of  
5 the children at all times. This means all evidence of litigation generated *on your*  
6 *side* and from the other party's side.

9 9. Neither party shall interrogate the child(ren) as to the activities or  
10 events at the other parent's residence, etc., and shall try to respect and not  
11 interfere with the child(ren)'s privacy and relationship with the other parent; do  
12 not place your child(ren) in a loyalty bind between yourself and the other parent;  
13 your child(ren) need to be able to love both of you freely in both of your homes  
14 for healthy child development.

17 10. Neither party shall interfere with the other party's contact with the  
18 minor children, including but not limited to telephone, email, social networking  
19 contacts, etc.; where telephone/video conferencing is part of your parent contact  
20 you may not take a smart phone or iPad from a child as a means of discipline  
21 when a child uses this technology to contact the non-residential parent. You must  
22 maintain a device accessible to the child(ren) charged or with accessible charger  
23 at all times, absent a Court Order otherwise.  
24  
25  
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1 11. Neither party shall threaten to commit or actually commit an act of  
2 violence upon the other party, upon the child(ren) in common of the parties, upon  
3 child(ren) not in common of a party, or upon the significant other, friend,  
4 relative, employer, employee, neighbor, etc. of a party.  
5

6  
7 12. Child custody exchanges, visitations, etc., shall be done in a civil, law  
8 abiding manner and reasonably close to the times specified by the Court. In the  
9 event of an emergency or unforeseen circumstance that could affect an exchange  
10 of the child or the time of the exchange, a party shall call or contact the other  
11 party as soon as is reasonably possible.  
12

13 13. In the event of an emergency or unforeseen circumstance that could  
14 affect an exchange of the child or the time of the exchange, the party  
15 experiencing the emergency shall contact the other party as soon as reasonably  
16 possible.  
17

18  
19 14. There shall be no spoliation, destruction, alteration or modification of  
20 electronic evidence such as emails, texts, social media of all forms, or voicemails,  
21 audio recordings, video recordings, or phones, iPads, etc., with any information  
22 that either party or the Court may deem relevant to the current court proceedings.  
23

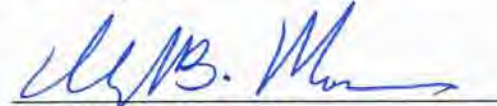
24 15. There shall be no invasion of the electronic devices, email accounts,  
25 social media accounts, separate bank accounts, safe deposit boxes, separate  
26 residences or separate vehicles, etc. of the other party.  
27  
28

1 16. Except as modified herein, all other court orders remain in full force  
2 and effect.  
3

4 **POSSIBLE SANCTIONS**

5 The parties are HEREBY PUT ON NOTICE THAT EACH AND EVERY  
6 VIOLATION of this order, if admitted to, or if found after evidentiary hearing to  
7 have committed an act that violates this Order, may result in the party being held  
8 in contempt of court pursuant to NRS Ch. 22, which could result in a fine of  
9 \$500.00 and/or up to 25 days in jail and/or attorneys fees for EACH  
10 VIOLATION.  
11

12  
13 DATED this 22<sup>nd</sup> day of July, 2019.  
14

15  
16   
17 **CHERYL B. MOSS**  
18 DISTRICT COURT JUDGE  
19 FAMILY DIVISION DEPT. I  
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FILED

JAN 11 2022

*Sharon A. Hoffman*  
CLERK OF COURT

COPY

TRANS

EIGHTH JUDICIAL DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA

NADINE ALECIA WILLIAMS, )  
Plaintiff, )  
vs. )  
HERMAN GEORGE WILLIAMS, )  
Defendant. )

CASE NO. D-16-586291-D  
DEPT. I  
APPEAL NO. 83263  
(SEALED)

BEFORE THE HONORABLE CHERYL MOSS  
DISTRICT COURT JUDGE

TRANSCRIPT RE: RETURN HEARING

MONDAY, AUGUST 26, 2019

APPEARANCES:

The Plaintiff:  
For the Plaintiff:

NADINE ALECIA WILLIAMS  
FRANK TOTI, ESQ.  
6900 Westcliff Drive, #500  
Las Vegas, Nevada 89145  
(702) 364-1604

The Defendant:

HERMAN GEORGE WILLIAMS  
PRO SE



1 LAS VEGAS, NEVADA

MONDAY, AUGUST 26, 2019

2 P R O C E E D I N G S

3 (THE PROCEEDINGS BEGAN AT 09:00:13)

4

5 THE COURT: This is sealed case 586291, Nadine --

6 THE PLAINTIFF: Yes.

7 THE COURT: -- and Herman?

8 THE DEFENDANT: Yes.

9 THE COURT: Counsel, your appearance and your bar  
10 number.

11 MR. TOTI: Your Honor, Frank Toti, bar number 5804,  
12 for the Plaintiff.

13 THE COURT: Are you retained?

14 MR. TOTI: Yes, Judge.

15 THE COURT: Let's swear the parties in before we  
16 begin.

17 THE CLERK: Please raise your right hands. Do you  
18 and each of you solemnly swear the testimony you're about to  
19 give in this action shall be the truth, the whole truth, and  
20 nothing but the truth, so help you, God?

21 THE PLAINTIFF: I do.

22 THE CLERK: Sir?

23 THE DEFENDANT: Sorry. Yes.

24 THE COURT: All right. Did everybody get a chance

1 to read the children interviews?

2 MR. TOTI: Yes, Judge.

3 THE COURT: It's a bit of a summary. The kids have  
4 stated that the Mom physically disciplines them. Let me see.  
5 I think particularly the girl. She's 14, and there's a 10,  
6 nine, and a six year old. Okay. So I don't -- based on this,  
7 where do we proceed?

8 MR. TOTI: Your Honor --

9 THE COURT: This is a brand new divorce case.

10 MR. TOTI: Your Honor, this is set for trial in  
11 February.

12 THE COURT: Yeah.

13 MR. PULITZER: At the initial hearing, based upon  
14 some of the allegations that were set forth, Your Honor, out  
15 of an abundance of caution, gave the Defendant temporary  
16 primary physical custody, and gave my client a couple of hours  
17 a week on Sundays.

18 THE COURT: Yeah, two hours. I -- 12:00 to 2:00 or  
19 something like that.

20 MR. TOTI: The -- yes, Judge.

21 THE COURT: Yeah.

22 MR. TOTI: And the allegations stem from an issue  
23 and concern between my client and her mother. However, no  
24 charges have been filed, no charges are pending, and there is

1 nothing active, even with CPS. I spoke with the caseworker,  
2 and they had the concerns that are set forth in the child  
3 interview. Their concern was, is this a physical abuse  
4 circumstance, or is this an improper physical discipline of  
5 the children.

6 And based upon the children's comments, and based  
7 upon my communication with the caseworker, it is clearly a  
8 circumstance where upbringing and culture have a play in  
9 physical discipline of a child. I've explained to my client  
10 what the current status of the law in Nevada is, which of  
11 course is you can spank a child on the butt only, with an open  
12 hand. You can't leave any type of a mark --

13 THE COURT: Yeah.

14 MR. TOTI: -- and it cannot be again, anywhere but  
15 the buttocks. As you can read from the child interviews, it  
16 talks about the children being basically anything that my  
17 client could grab near the children at the time was used to  
18 discipline the children.

19 THE COURT: Yeah.

20 MR. TOTI: Again, I've talked to my client about  
21 that, and she has now a clear understanding of what the rules  
22 are, and will not let anything like that happen.

23 THE COURT: Uh-huh.

24 MR. TOTI: But, Judge, the bigger concern is -- is

1 this. The 14 year old daughter, yeah, there's obviously an  
2 issue there that counseling needs to address, and Your Honor  
3 took care of that at the last hearing by directing some  
4 counseling with Donna Gosnell.

5           However, the Defendant is refusing to cooperate with  
6 Donna Gosnell, or setting any appointments. In fact, we  
7 received a correspondence, and I believe it was addressed to  
8 the Court, as well -- or a courtesy copy to the Court, as  
9 well, on August 19th, that indicates that Mr. Williams --  
10 Ms. Williams has contacted our office to accomplish the  
11 reunification therapy ordered by the Court via Judge Moss.  
12 Please contact our office so that we may schedule an  
13 appointment with the children and their mother. And -- and  
14 that was sent as a result of my office reaching out to -- to  
15 Ms. Gosnell regarding scheduling appointments, and the  
16 indication was no, he just simply hasn't done it.

17           I also believe, Judge, that you had ordered the --  
18 the parties to sign up for one of the various parenting apps.

19           THE COURT: Uh-huh.

20           MR. TOTI: The Defendant has failed to do that. As  
21 far as any type of communication or anything of that nature,  
22 it's just simply not occurring. My client does not know where  
23 the kids are going to school, which is a serious concern,  
24 because my client understands that the oldest child is going

1 to school near her, and if that's the case, then the Defendant  
2 is likely leaving the other children home alone while he  
3 delivers the children to school. Again, we're speculating,  
4 we're not 100 percent sure, because again, the Defendant  
5 simply won't provide any of that information to my client.

6 And then finally, Judge, again, just minor  
7 housekeeping things -- well, one not so minor, but the  
8 Defendant, when he vacated the residence, I believe, Judge, I  
9 believe that the current order of the Court is that my client  
10 is -- or that the parties are entitled to exclusive possession  
11 of their residences. However, having said that, the Defendant  
12 has retained my client's garage door opener and mailbox key,  
13 which obviously needs to be returned as soon as possible, and  
14 Judge --

15 THE COURT: To her residence?

16 MR. TOTI: Yes, Judge. The parties resided in one  
17 residence; the Defendant vacated the residence, moved  
18 somewhere else.

19 THE COURT: Okay.

20 MR. TOTI: However, despite the fact that the  
21 Defendant -- and I -- I apologize, Judge, I wasn't on the  
22 matter at that time, if exclusive possession of both parties'  
23 residences have not been --

24 THE COURT: Yeah.

1 MR. TOTI: -- provided or ordered then we'd ask --  
2 THE COURT: Are you representing her on the appeal  
3 with the CPS case?  
4 MR. TOTI: I will be, yes, Judge.  
5 THE COURT: Okay. So that's pending. Any --  
6 MR. TOTI: Correct.  
7 THE COURT: -- other updates?  
8 MR. TOTI: Not -- just that -- Judge, there's  
9 nothing active going on with the CPS case. The CPS case, they  
10 are -- they've closed their case --  
11 THE COURT: Okay.  
12 MR. TOTI: -- with a substantiation of improper  
13 physical discipline to my client. We'll be appealing that  
14 decision. But again, this is not a physical abuse case or  
15 anything of that nature, just the fact that my client wasn't  
16 following the proper protocol per CPS guidelines, as far as  
17 what proper physical discipline is. And then toward --  
18 THE COURT: But no marks were left?  
19 MR. TOTI: It is my understanding that there no  
20 marks found, Judge, but the simple fact that my client used an  
21 -- an implement rather than just her open hand is what the  
22 finding is.  
23 THE COURT: Okay.  
24 MR. TOTI: And that's what we will be dealing with.

1           THE COURT: My time's limited today, so I want to  
2 hear from the Father.

3           MR. TOTI: And, Judge, just two more things really  
4 quick.

5           THE COURT: Yeah.

6           MR. TOTI: The Defendant also has my client's  
7 vehicle in -- in his possession. It's my client's  
8 understanding that he has another vehicle. She would want  
9 that vehicle returned to her, pending the outcome of this  
10 matter. And, Judge, based upon the fact --

11          THE COURT: What kind of vehicle is it?

12          MR. TOTI: It's a truck.

13          THE PLAINTIFF: 2015 Chevy Silverado.

14          MR. TOTI: 2015 Chevy Silverado. And then finally,  
15 Judge, what we would be asking for at this point, the -- the  
16 younger minor children don't really express any fears or  
17 concerns with my client. We would be asking for a --  
18 honestly, we'd be asking for a joint physical schedule with  
19 the three younger children at this point, and we would have  
20 the 14 year old with teen discretion, provided that the  
21 Defendant follows through with Donna Gosnell, and starts the  
22 reunification therapy between Mom and -- and -- and the child.

23                 If Dad is unwilling, or un -- you know, or just not  
24 willing to cooperate with regard to the terms of -- of -- the

1 reunification therapy, Judge, and that obviously would be a  
2 basis to change things all together. But at this point, we'll  
3 give the Defendant the benefit of the doubt. If he will start  
4 immediately complying with the Court's orders, then we can  
5 move this in a -- in -- in that direction.

6 THE COURT: Is he complying with the visits?

7 MR. TOTI: He's dropped off. There have been times  
8 or things of that nature when it has been early or late or  
9 something of that nature, based upon the Defendant's schedule.

10 THE COURT: Uh-huh.

11 MR. TOTI: But at least they have occurred. And  
12 then, Judge, what -- what we have set forth is trial is set  
13 for February, so we would need to have something put in place  
14 for holidays in the fall.

15 THE COURT: Holidays. Well, you've identified about  
16 seven issues here. I need Dad to respond to them.

17 MR. TOTI: Okay.

18 THE COURT: Okay?

19 THE DEFENDANT: All right. The first one, the day I  
20 left out of here, July 22nd, I requested her on the phone with  
21 the child app --

22 THE COURT: AppClose?

23 THE DEFENDANT: AppClose.

24 THE COURT: Yeah.



1 THE DEFENDANT: No response.  
2 THE PLAINTIFF: That's --  
3 THE DEFENDANT: I have it on my phone where I did  
4 it.  
5 THE COURT: Yeah.  
6 THE DEFENDANT: It's in the phone.  
7 THE COURT: Supposed to link your accounts.  
8 THE DEFENDANT: I did the first day. The first day  
9 she left out of here, she text me, she wanted the medical  
10 records. When I did that app, she never respond.  
11 The second thing is, is that truck belong to me.  
12 It's a 2500 Chevy Silverado with a two hitch on it, with a  
13 wheel lift. That's what I use to work with.  
14 THE COURT: That's your tow truck?  
15 THE DEFENDANT: That's my tow truck. That's what I  
16 use to work with, from New York all the way down here. Third  
17 of all, when -- when she don't text me nothing about the kids.  
18 The kids will come tell me, oh, Mommy said can you drop me off  
19 early? Get out of church at 11:15, supposed to drop them off  
20 at 11:00 -- at 12:30. I take them over there, I drop them  
21 off, I pick them up.  
22 I don't care where she go, they go to the -- they  
23 don't go to the park. They go wherever they want to go with  
24 her, I pick them back up. It was school time, school

1 shopping, I let her go.

2 I got a text from her the other day. I'm at my  
3 appointment, where you at? Nobody sent me nothing to my phone  
4 about no appointment for the kids.

5 The kids is registered with counseling, but it's  
6 four of them. They won't take them. I have all the paper  
7 right here, they start they dates. They won't take all of  
8 them as a group. They only take them individually.

9 So I got the three boys going. I got the girl --  
10 the daughter going September 17, and this appointments was  
11 made August 14. Nobody never call me. If you don't text me,  
12 you can't text me on the day, I'm at the appointment, where  
13 are you, with a question mark. Nobody send me nothing else.

14 When I requested, she never request -- she requested  
15 me with the close app when I ask her. Because I wasn't going  
16 to take the kids out the school. I was going to leave them  
17 there. I -- the -- Matthew and Elisha was okay.

18 THE COURT: So you made the appointments with  
19 Gosnell?

20 THE DEFENDANT: Yeah --

21 THE COURT: Or you found out about the appointments?

22 THE DEFENDANT: No, no, no. No, I made the  
23 appointments myself. And I don't know -- I don't know if it's  
24 the same place. Because they won't take -- they won't take

1 the Medicaid --

2 THE COURT: No, they won't.

3 THE DEFENDANT: -- that I have. All the places that

4 I called won't take the Medicaid. These are the -- the --

5 this is the lady name right here, where they going.

6 THE COURT: Uh-huh. Donna Gosnell. Who you got

7 them going with?

8 THE DEFENDANT: It's Michael G-o-m-e-z.

9 THE COURT: Gomez?

10 THE DEFENDANT: Yeah.

11 THE COURT: What company?

12 THE DEFENDANT: This is -- this is off Sahara, right

13 across the street from the medical hospital.

14 MR. TOTI: And -- and, Judge --

15 THE DEFENDANT: That's the only place I can --

16 MR. TOTI: I mean, I --

17 THE DEFENDANT: -- get them to go --

18 THE COURT: Yeah.

19 THE DEFENDANT: -- because the Medicaid, they won't

20 take them. Some want cash --

21 THE COURT: And he's a therapist?

22 THE DEFENDANT: It's a therapist's office.

23 THE COURT: Okay. But --

24 MR. TOTI: Judge, two issues with that. Number --

1 number one, quite obviously --

2 THE COURT: Mom's paying for Gosnell, right?

3 MR. TOTI: The directive was Gosnell.

4 THE COURT: Yeah.

5 MR. TOTI: Number two, my client I think was

6 directed to pay for it. But number three, my client has

7 medical insurance for the kids.

8 THE DEFENDANT: She don't call me.

9 THE COURT: And does Gosnell take her insurance?

10 THE PLAINTIFF: No, ma'am. I actually --

11 THE COURT: But you're going to pay --

12 THE PLAINTIFF: I -- I -- I paid --

13 THE COURT: -- cash basis.

14 THE PLAINTIFF: I paid because the -- they didn't --

15 THE COURT: Okay.

16 THE PLAINTIFF: -- show up, and --

17 THE COURT: And -- yeah, and -- and he says he's

18 having trouble communicating with you about --

19 THE PLAINTIFF: Ma'am, I -- I haven't -- he hasn't

20 -- my number hasn't changed, and I do have proof here that

21 when I left here, I sent him the link, which is here on my

22 phone --

23 THE COURT: Yeah.

24 THE PLAINTIFF: -- that I sent him the link to say

1 I've signed up for AppClose --  
2 THE COURT: Yeah.  
3 THE PLAINTIFF: -- and when I scheduled the  
4 appointment, I put it on the calendar as you instructed me to  
5 --  
6 THE COURT: Yeah.  
7 THE PLAINTIFF: -- and I, again, I sent him the link  
8 again for the appointment --  
9 THE COURT: Yeah.  
10 THE PLAINTIFF: -- and he did not -- I showed up for  
11 the appointment, and I was sitting there, and I'm like, where  
12 are you? And I had to pay for the appointment. So --  
13 MR. TOTI: And, Judge, my client just sent again  
14 another --  
15 THE PLAINTIFF: Link.  
16 MR. TOTI: -- request to --  
17 THE COURT: Are you not getting these requests, sir?  
18 THE DEFENDANT: It just -- I just opened my phone.  
19 It's right there, but when I did it --  
20 THE COURT: You didn't get another request just now?  
21 THE DEFENDANT: Well, we in court.  
22 MR. TOTI: Yes. She just --  
23 THE DEFENDANT: I'm just opening my phone.  
24 MR. TOTI: -- sent it.

1 THE COURT: Okay.

2 THE PLAINTIFF: That's what I'm saying. So, Your  
3 Honor --

4 THE DEFENDANT: Now, look. August 3rd, hello,  
5 Nadine. August 3rd, I sent this to her. I'm dropping off the  
6 kids, Nathaniel -- she ask me if I'm dropping them at school.  
7 The same time -- this was August 6th.

8 THE COURT: Well, it --

9 THE DEFENDANT: The same time I applied --

10 THE COURT: Is your accounts linked, so it's on the  
11 same --

12 THE DEFENDANT: Well, when I applied for her, she  
13 never linked. She never accepted it when I applied to accept  
14 her. She never --

15 THE COURT: And she's --

16 THE DEFENDANT: -- applied it.

17 THE COURT: -- saying you -- she sent you an invite  
18 like three times.

19 THE DEFENDANT: No, just now. And one, when I --  
20 when I said, this is the CloseApp --

21 THE COURT: All right. You got the invite?

22 THE DEFENDANT: Just now.

23 THE COURT: Did you accept it?

24 THE DEFENDANT: No, just now. I just got it just

1 now.

2 THE COURT: Did you accept it?

3 THE DEFENDANT: No, I was talking to you and going  
4 through my phone, trying to --

5 MR. TOTI: Accept it.

6 THE COURT: Then go ahead and accept the invite  
7 link. Now you guys can communicate.

8 THE PLAINTIFF: And by the -- the way, Your Honor,  
9 it does say that he read the link originally sent on July  
10 22nd. There is a read receipt on there --

11 THE COURT: Yeah.

12 THE PLAINTIFF: -- that he read it.

13 THE COURT: Yeah.

14 THE DEFENDANT: It -- no, it came July 22nd, because  
15 the only thing came July 22nd --

16 THE COURT: It had a read receipt.

17 THE DEFENDANT: -- was send me the kids medical  
18 records. That was it. The link came after, when I -- when I  
19 went to go apply the kids, to put Herman in school, the school  
20 won't take him because of the address. I text her from  
21 Herman's phone, my son's phone, asking her for the bill. Got  
22 smart. I just left it alone. Got to get them registered in  
23 school. So I removed the three boys and put them up here.  
24 And put them up here closer --

1 THE COURT: All right.

2 THE DEFENDANT: -- in school.

3 THE COURT: What about her garage door opener and  
4 her mailbox key?

5 THE DEFENDANT: The mailbox key is in the house.  
6 Refused to give me all my mail. She didn't say, when she  
7 threw my insurance off the -- the policy and added her  
8 boyfriend truck to it --

9 THE COURT: So where is it? Where's --

10 THE DEFENDANT: What?

11 THE COURT: -- those two things?

12 THE DEFENDANT: The mailbox --

13 THE COURT: The opener and the mailbox key.

14 THE DEFENDANT: The mailbox key is in my house in a  
15 plastic bag in the key. I don't get no mail. She -- she  
16 takes all my mail.

17 THE COURT: So you have no problem giving her back  
18 the key?

19 THE DEFENDANT: No.

20 THE COURT: All right. And what about her garage  
21 door opener?

22 THE DEFENDANT: I'll give her back that, too.

23 THE COURT: Okay.

24 THE DEFENDANT: But I need the rest of my stuff out



1 of the garage. I got my tools in the garage. My scaffold, my  
2 transmissions -- mad tools in the garage that still belongs to  
3 me.

4 THE COURT: So you want to make an appointment to  
5 pick up your stuff --

6 MR. TOTI: He can contact my office, Judge.

7 THE DEFENDANT: I want all my stuff picked up.

8 MR. TOTI: The -- the problem is that he's  
9 mentioning the truck. I -- I'm looking at his FDF. There's  
10 nothing on the FDF that says that he uses the tow truck for  
11 his work.

12 THE DEFENDANT: I uses it. The truck got a wheel  
13 lift on it.

14 THE COURT: Are there any other vehicles?

15 THE DEFENDANT: The other truck, I got in trouble  
16 the other day. The one I've been driving now, I got in  
17 trouble, because it's two cranes. There's one that grabs the  
18 front wheel, and there's one that grabs -- when you flip out  
19 the crane in the back, it's messing with the people bumpers.  
20 So they limit me to work.

21 THE COURT: Uh-huh.

22 THE DEFENDANT: I broke a piece on the back of the  
23 crane, I ordered it. It's coming, it should be here this  
24 week.

1 THE COURT: All right. So you --  
2 THE DEFENDANT: I broke a piece of the hose, and  
3 nobody down here had it because the lift came from Lift and  
4 Two in Pennsylvania, Shippensburg, Pennsylvania. Nobody knows  
5 --  
6 THE COURT: And you're considering your 2015  
7 Silverado as a commercial vehicle?  
8 THE DEFENDANT: It's a commercial vehicle. Got to  
9 pay the -- been a commercial vehicle from New York.  
10 MR. TOTI: But my client's paying --  
11 THE COURT: Okay.  
12 MR. TOTI: -- for it, Judge.  
13 THE DEFENDANT: Right? She gave me opportunity on  
14 the phone --  
15 THE COURT: He's using it --  
16 THE DEFENDANT: -- I have voice mail. I'm not going  
17 to take the truck, you can keep the truck --  
18 THE COURT: Okay.  
19 THE DEFENDANT: -- just make the monthly payments.  
20 After I moved out, August 8, she cancels the insurance.  
21 Cancels the insurance on me, so I had to get new insurance. I  
22 was driving insurance with my kids --  
23 THE COURT: Okay.  
24 THE DEFENDANT: -- for four -- for three months

1 because I don't get no mail from the house. I had to pay DMV  
2 five something to reinstate the license plates on one of the  
3 trucks. I have all the paperwork when she canceled the  
4 insurance on me. I had to renew a new policy -- renew a new  
5 policy --

6 THE COURT: Okay.

7 THE DEFENDANT: -- because she put the kids in -- in  
8 danger by drive -- having me drive with no insurance and have  
9 me not even notified.

10 THE COURT: All right. Let me make a couple of  
11 rulings here. Number --

12 THE DEFENDANT: See, this is the commercial  
13 registration for --

14 THE COURT: We'll deal with that later, sir.

15 THE DEFENDANT: All right.

16 THE COURT: It's not a main -- major issue. This is  
17 what I can do, temporarily. Number one, in terms of Donna  
18 Gosnell being the reunification counselor, Mom's paying for  
19 it, so you have to cooperate with the appointments.

20 THE DEFENDANT: I have no problem --

21 THE COURT: You can --

22 THE DEFENDANT: Look, can I just show you something,  
23 please?

24 THE COURT: Sir, I'm making a --

1 THE DEFENDANT: All right.  
2 THE COURT: -- ruling.  
3 THE DEFENDANT: Okay.  
4 THE COURT: You need to cooperate with Donna  
5 Gosnell. If you have any -- any questions about appointments,  
6 you can talk to Gosnell's office directly. And Mom's going to  
7 prepay that without prejudice so she can have her sessions  
8 with the kids. If you fail to cooperate, I will advise you, I  
9 may change custody --  
10 THE DEFENDANT: Okay.  
11 THE COURT: -- if you do not cooperate with the  
12 appointments. If you -- you have trouble getting  
13 communications from Mom, why don't you call the source? Call  
14 Gosnell's office and sign up --  
15 THE DEFENDANT: I don't have the number.  
16 THE COURT: -- with her. That's all you need to do.  
17 Number two, I'm going to have the parents -- they have  
18 problems with communication. I'm going to have both parents  
19 do the Triple P parenting class, give them the brochures. The  
20 one you gave me's in Spanish. Would you give them the  
21 brochures? They're from ages -- there's a two to 11, and then  
22 there's a -- it's in Spanish. But they got a 14 year old.  
23 So the two through 11 would be not Triple P. It  
24 would be ABCs of parenting, five through 10, and then for the

1 teen one, Teen Triple P, 11 to 17 years old. So that's two  
2 courses they got to get done before February's trial. I'm  
3 ordering both of them to do the courses.

4           They don't have to go to the same class together.  
5 Maybe one should do one first, and then the other do the  
6 other, and then switch. So it's free, it's through Clark  
7 County, you got to devote a couple hours every weekend, six to  
8 eight -- six to eight weekends, and get the parenting classes  
9 done. That may help you manage your children.

10           MR. TOTI: And, Judge, just to make it really easy  
11 --

12           THE COURT: Yeah?

13           MR. TOTI: -- we'll have the -- my client will do  
14 the teen one first --

15           THE COURT: All right.

16           MR. TOTI: -- and then the ABC, and Dad can --

17           THE COURT: You see that, sir --

18           MR. TOTI: -- do vice versa.

19           THE COURT: -- on the brochure? Three -- three from  
20 the bottom, Triple Teen? Mom's going to do that one first.  
21 The fourth from the top, ABCs of parenting, you're going to do  
22 that, and they give you a free certificate. And then you guys  
23 will do the reverse. You do ABCs of parenting first, sir.  
24 You just sign up when the next course happens.

1 THE DEFENDANT: That's ABC?

2 THE COURT: Okay? Yeah. We're going to overload  
3 them with classes. Now, they need to take the online high  
4 conflict parenting class, due to communication problems. And  
5 my JEA, Susanna (ph), is going to email Mr. Toti, and Dad, the  
6 link to do the online high conflict parenting class. That's  
7 about 60, 65 bucks. Okay?

8 The divorce class, that is the children coping with  
9 divorce class, that has to get done. That's mandatory in any  
10 divorce case with children. So you have to do that one first,  
11 also. The -- that is on our website, in the far count --  
12 family court self help center website. You can get the link  
13 for childreninthemiddle.com. So we're going to overload them  
14 with classes, due to communication problems.

15 The AppClose should be working. If you have any  
16 issues, I would call technical support for that app and ask  
17 them why messages aren't going through. Okay? So we got to  
18 make that work. You should have gotten the invite link now,  
19 and messages should be coming through, and uploading of  
20 appointments should come through on there. Medical bills, you  
21 can upload it on the app and get half reimbursement. The  
22 Silverado truck, we're going to wait for that at trial. He  
23 can continue to use it. And I don't know, Mr. Toti, you can  
24 get discovery about his work --

1 MR. TOTI: Yes, Judge.

2 THE COURT: -- the nature of his work. The garage  
3 door, mailbox key, at the next exchange, you're going to put  
4 it in a little plastic baggie and just hand it over to Mom.  
5 Okay?

6 THE DEFENDANT: I have no problem.

7 THE COURT: Yeah. And, you know, you can take a  
8 picture of you handing it over to Mom, just to know -- just to  
9 make sure.

10 THE DEFENDANT: And when do I get the rest of my  
11 stuff out my garage -- the garage?

12 THE COURT: And so break out your cell phone, take a  
13 picture of you handing over the bag to her.

14 THE DEFENDANT: All right.

15 THE COURT: Okay. So you got your parenting  
16 classes, you cooperate with Gosnell. We'll monitor the CPS  
17 appeal, and I'll put her on the default holiday schedule for  
18 parents. And it's the easiest way to figure out what  
19 holidays, Labor Day, Thanksgiving, that's all coming up. It's  
20 all there in writing. It's self explanatory.

21 I'm going to move Mom up to day visits, because  
22 that's what we're supposed to do. Dad's -- looks like Dad's  
23 been complying with the drop off and pick up for the kids.  
24 We're going to move it to eight hours a day now on Sundays.

1 No overnights yet until we come back at a later time.  
2 THE DEFENDANT: So what --  
3 THE COURT: Okay?  
4 THE DEFENDANT: -- what time on Sundays?  
5 THE COURT: What time on Sundays? You got --  
6 THE DEFENDANT: Because they go to church.  
7 THE COURT: -- church?  
8 THE DEFENDANT: They go to church. They get out at  
9 11:00 -- 11:15.  
10 THE COURT: So you want to switch it to Saturdays?  
11 You work on Saturdays?  
12 THE DEFENDANT: I work seven days a week. I've been  
13 working seven days a week --  
14 THE COURT: All right. Well, Mom can watch --  
15 THE DEFENDANT: -- but I have been making time --  
16 THE COURT: -- the kids for a full eight-hour day,  
17 or a 10-hour day if you need, so you can go do work, and  
18 she'll be -- no overnights, but she'll mind them on Saturday  
19 then.  
20 MR. TOTI: Mom would say -- Mom would say Saturday  
21 10:00 to 6:00.  
22 THE COURT: 10:00 to 6:00 on Saturdays? And then  
23 Sunday's they're with you. You go to church, and then you can  
24 get -- get --



1 THE DEFENDANT: No, I don't go to church. They go  
2 to --  
3 THE COURT: -- them ready for school.  
4 THE DEFENDANT: -- church with their grandma.  
5 THE COURT: Yeah. They can go with the grandma.  
6 THE DEFENDANT: And no house visits?  
7 THE COURT: We're going to switch it to Saturdays.  
8 THE DEFENDANT: No house visits?  
9 THE COURT: What do you mean, no house visits?  
10 THE DEFENDANT: Like, taking the kids to her house.  
11 THE COURT: Taking the kids to her house?  
12 THE DEFENDANT: Uh-huh (affirmative).  
13 THE COURT: She can go wherever she wants for those  
14 eight hours.  
15 THE DEFENDANT: All right.  
16 THE COURT: So the answer is yes, she can take them  
17 to her house.  
18 THE DEFENDANT: Okay.  
19 THE COURT: Be appropriate. No corporal punishment,  
20 both sides of the family here. We don't spank our kids no  
21 more. There's other ways to discipline them. Time out, take  
22 away their phones, and if Mom has to discipline a child, like  
23 the teenager, and the child come crying to you, you find out  
24 what's going on. Sometimes you got to support the mom and

1 back her up if she's disciplining.

2           If the girl's back talking to her, or not listening  
3 to her rules, you got to back Mom up. Otherwise, that girl's  
4 going to play both of you. Okay? She may want to stay with  
5 you, the next day, she don't like the rules in your house, she  
6 going to go crying to go back to her mom. And then you lose  
7 custody of the girl. So if she needs to be disciplined, take  
8 away her phone.

9           If you take away her phone, but if she needs to talk  
10 or text to her dad, she can ask you permission, she can talk  
11 and text to her dad, and then get her phone back until the  
12 grounding period is over. Okay? So we're going to move her  
13 up to that. And our next trial date would be February 4th at  
14 1:30.

15           We should have a calendar call maybe one month  
16 before to see if they do the parenting classes, or I need to  
17 change custody, if a parent's not commune -- cooperating or  
18 communicating properly. Let's do one month before -- two  
19 weeks before trial, somewhere there, make sure they're on  
20 track, get them ready for trial, make sure they have their  
21 pretrial memos filed, trial briefs, and exhibits?

22           THE CLERK: January 22nd at 9:00 a.m.

23           THE COURT: Yeah, you guaranteed to go, stack one on  
24 the February 4th.

1 MR. TOTI: And, Judge --  
2 THE COURT: I'm going to see you January 22nd, make  
3 sure I get your --  
4 MR. TOTI: Judge, I'll prepare --  
5 THE COURT: -- exhibits.  
6 MR. TOTI: -- I'll prepare an order from today --  
7 THE COURT: I appreciate that.  
8 MR. TOTI: -- and, Your Honor, is -- is there an  
9 order in effect for joint legal custody of the children right  
10 now?  
11 THE COURT: It should be joint legal. I see no  
12 reason for joint --  
13 MR. TOTI: I'll -- I'll make sure that's in the  
14 order then. My client indicated that she was having --  
15 THE COURT: Okay. You --  
16 MR. TOTI: -- problems with the school. But that --  
17 that should take care of that.  
18 THE COURT: That should take care of that. Now, you  
19 know what school they go to?  
20 THE DEFENDANT: Yeah. One go to Sedway Middle  
21 School, that's where Herman goes to.  
22 THE COURT: Sedway?  
23 THE DEFENDANT: Yes.  
24 THE COURT: Okay.

1 THE DEFENDANT: That's on the north side.  
2 THE COURT: All right.  
3 THE DEFENDANT: And Matthew and Elisha goes to -- I  
4 have it right here --  
5 THE COURT: So one's middle school. One's  
6 elementary school, and one should be in high school?  
7 THE DEFENDANT: Well, Abigail's in high school.  
8 She's still in the same school. I didn't have no problem with  
9 her.  
10 THE COURT: What high school she go to?  
11 THE PLAINTIFF: Desert Oasis --  
12 THE DEFENDANT: Desert --  
13 THE PLAINTIFF: -- which is by my house.  
14 THE COURT: Desert Breeze? Okay. And the -- the  
15 little ones?  
16 THE DEFENDANT: They go to Glenwood.  
17 THE COURT: Glenwood? Okay.  
18 MR. TOTI: Okay. Thank you, Judge.  
19 THE COURT: You got the info. Oh, let's make an  
20 appointment. He want to pick up his tools --  
21 THE PLAINTIFF: Your Honor, there's no tools. The  
22 only thing that's left in my garage is a scaffold and a  
23 transmission. There's no tools in there.  
24 THE COURT: Scaffold and a trans --

1 THE DEFENDANT: Speaker box is the -- is -- there's  
2 tools in there.

3 THE PLAINTIFF: Your Honor --

4 THE DEFENDANT: They all behind the scaffold,  
5 stuffed in the scaffold, speaker box. I have a grill. My  
6 vacuum --

7 THE COURT: Why don't I have this, have Mom take a  
8 video of everything in the garage, and whatever's behind those  
9 things, and then send you the video on the -- or pictures, you  
10 can send pictures through the AppClose. And then he can  
11 identify what he wants, and then when he comes, he will  
12 designate a day where he'll come pick it up, have an, you  
13 know, an hour to pick it up, and then he can haul it off. You  
14 can work with the attorney, Mr. Toti, and I'll have Mr. Toti's  
15 client send you the pictures of what's in the garage.

16 MR. TOTI: Judge, what we can do, my client  
17 indicates that the Defendant emptied the residence. So we've  
18 got a lot of issues --

19 THE COURT: Uh-huh.

20 MR. TOTI: -- with regards to property on both  
21 sides.

22 THE COURT: Yeah, I get a lot of he said, she said.  
23 All I'm asking her to do is take pictures.

24 MR. TOTI: Understood, Judge. And then we can

1 coordinate --  
2 THE COURT: And then you can coordinate --  
3 MR. TOTI: -- perhaps some --  
4 THE COURT: -- with Dad --  
5 MR. TOTI: -- some properties coming back and forth,  
6 and --  
7 THE COURT: -- what -- what he all wants.  
8 MR. TOTI: -- if there's an issue, we'll --  
9 THE COURT: If it's in the picture --  
10 MR. TOTI: -- (indiscernible) the Court  
11 (indiscernible) trial issue.  
12 THE COURT: -- you can set it out front --  
13 MR. TOTI: That's fine.  
14 THE COURT: -- and you can go pick it up.  
15 MR. TOTI: That's fine, Judge.  
16 THE COURT: Set it in the driveway or something.  
17 All right. Mr. Toti will work with you, sir, to get some of  
18 that stuff, if you need it for work. First thing she going to  
19 do, she's going to send you pictures.  
20 MR. TOTI: Thank you, Judge.  
21 THE COURT: Thank you.  
22 (PROCEEDINGS CONCLUDED AT 9:24:46)  
23  
24

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\* \* \* \* \*

ATTEST: I do hereby certify that I have truly and  
correctly transcribed the digital proceedings in the  
above-entitled case to the best of my ability.

/s/ Nita Painter  
Nita Painter

*Herman S. Williams*  
CLERK OF THE COURT

MISC

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email Address: \_\_\_\_\_

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Nadine Williams.  
Plaintiff

CASE NO.: D-19-586291D.

vs.  
Herman Williams  
Defendant

DEPT: I.

Labour Day Weekend and Sat VISIT.  
Title of Document 9/7/19

Respectfully submitted by:

(Your signature)

(Your name)

Herman Williams  
Herman Williams Jr.  
☐ Plaintiff / ☒ Defendant



①  
Labor Day Weekend.

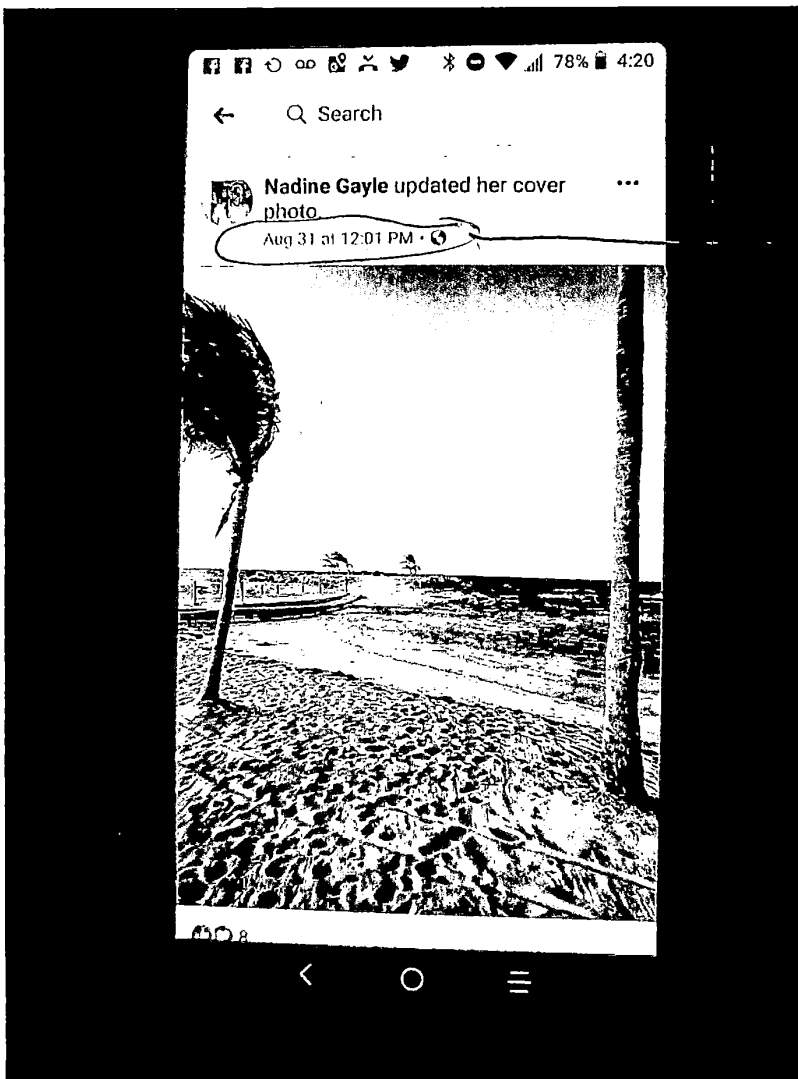
I get a Text from Nadine Williams stating that she would be unable to visit with kids on her first Sat visit from 10-6. I already submitted that complaint. Here comes the Thurs 9/5/19 her lawyer calls me to find out if I got a Text from her stating that she had to have surgery. That would be the reason why <sup>she</sup> wouldn't ~~as~~ been able to visit with them but here it is proof that she just ~~ext~~ stating that she couldn't visit with them, I also have some photos from Aug 31 that she did not have surgery, It look like she was enjoying herself somewhere at a beach. There aren't any beaches in Vegas. The photos came from her sons (Herman) facebook page.

On 9/7/19 I wake the children up to get ready to go visit w/ there mother. We ran a little late, we got to her @ 10:20AM, the visit is suppose to be from 10-6. So they visited with there mom, Abigail my daughter was ready to leave so I picked her up because the boys asked if they could stay an extra hour I let them. When I picked them up at 8:00. They tell me that.

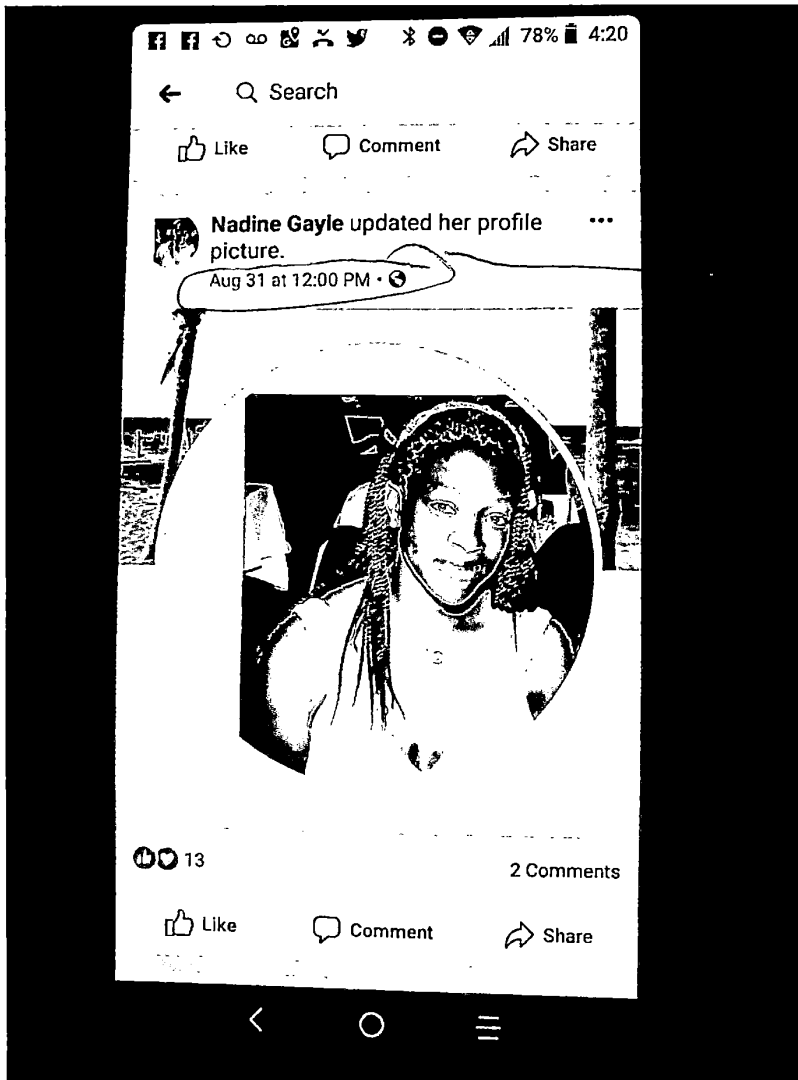
(2)

1 their mother locked up Elisha in the  
2 closet. She locked him in the closet  
3 because he was not behaving himself.  
4 ~~if~~ I have asked the courts for  
5 supervised visits because of such behavior  
6 from their mother. When they misbehave  
7 with her she is suppose to take away  
8 their cell phones and let me know what  
9 occurred while they were with her.  
10 Her boyfriend Steve took my daughter  
11 to Victoria's Secret ~~perched~~ purchased  
12 clothing for her and told her not to  
13 let her mother see the bag. She is  
14 suppose to be with them not anyone else.

15 As far as her locking up Elisha  
16 in the closet. He said that he could not  
17 breathe and he was also screaming to come  
18 out of the closet.



Labor Day  
Weekend. of.  
2019.



*Labor day Weekend  
of 2019*

Electronically Filed  
10/30/2019

*Herman B. Williams*  
CLERK OF THE COURT

MOT  
Name: Herman Williams  
Address: 7018 Adabella Ave #204  
Las Vegas Nevada 89115  
Telephone: \_\_\_\_\_  
Email Address: hermanwilliams002@gmail.com  
In Proper Person

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Nadine Alecia Williams  
Plaintiff,

vs.

Herman B Williams  
Defendant.

CASE NO.: D-19-586291-D  
DEPT: 4

DATE OF HEARING: 12/16/19  
TIME OF HEARING: 9:00 AM

Oral Argument Requested: ☒ Yes ☐ No

**MOTION AND NOTICE OF MOTION FOR AN ORDER TO SHOW CAUSE  
REGARDING CONTEMPT AND TO ENFORCE CHILD CUSTODY AND/OR  
VISITATION**

TO: Name of Opposing Party and Party's Attorney, if any, Nadine Alecia Williams

PLEASE TAKE NOTICE that a hearing on this motion will be held on the date and time  
above before the Eighth Judicial District Court - Family Division located at: ☒ check one

- ☒ The Family Courts and Services Center, 601 N. Pecos Road Las Vegas, Nevada 89101.  
☐ The Regional Justice Center, 200 Lewis Avenue Las Vegas, Nevada 89101.

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

Submitted By: Herman B Williams  
(☒ check one) ☐ Plaintiff / ☒ Defendant In Proper Person

**MOTION**

(Your name) Herman G. Williams, in Proper Person, moves this Court for an Order enforcing the custody and/or visitation schedule and/or for issuance of an Order to Show Cause regarding contempt. (☒ check one)

- ☒ I tried to resolve this issue with the other party before filing this motion.
- ☐ I did not try to resolve this issue with the other party before filing this motion. Any attempt to resolve the issue would have been useless or impractical because *(explain why you did not try to resolve this issue directly with the other party before filing this motion)*
- \_\_\_\_\_
- \_\_\_\_\_

**POINTS AND AUTHORITIES  
LEGAL ARGUMENT**

The refusal to obey a lawful order issued by the court is an act of contempt. NRS 22.010(3). The facts of contempt must be presented to the court through an affidavit. NRS 22.030(2). A person found guilty of contempt may be fined up to \$500 for each act of contempt, may be imprisoned for up to 25 days, or both. A person found guilty of contempt may also be required to pay the reasonable expenses, including attorney's fees, of the person seeking to enforce the order. NRS 22.100.

If it appears that a child has been or is likely to be concealed within the state or taken out of the state, the court shall order the child to appear and shall make a determination most advantageous to and in the best interest of the child. The court may authorize law enforcement to assist a party in obtaining physical custody of a child. A proceeding under this section must be given priority on the court's calendar. NRS 125C.0055.

**FACTS AND ARGUMENT**

1. **Number of Minor Children.** The parties have (number) 4 minor children in common.

Child's Name:	Date of Birth	State of Residence:
Abigail Williams	10/27/04	LAS Vegas, NV
Herman Williams III	8/24/08	LAS Vegas, NV
Matthew Williams	5/13/10	LAS Vegas, NV
Elisha Williams	4/26/13	LAS Vegas, NV.

2. **Current Custody Order.** The current custody order was filed on (date of your current custody order) August 22, 19 The current custody order is: (☒ check one)

☐ I have visitation and the other parent has primary physical custody.

☒ I have joint physical custody.

☒ I have primary physical custody and the other parent has visitation.

3. **Notice.** (☒ check one)

☐ The other party was served with a copy of the court order on (date the party was served with the order) \_\_\_\_\_.

☒ The other party knows about the court order because (explain how the other party is aware of the court order) She was there on the court date.  
August 22, 2019. with Judge Cheryl Moss.

4. **Timeshare.** I am supposed to have time with the child(ren) on the following days/times:  
(describe when the order states you are to have time with the children)

I have primary care  
The mother is only granted visitation on a Saturday  
with the children from 10AM-6PM.

5. **Other Custody Orders.** (☒ check one)

☐ There are no other court orders that affect the custody and visitation order.

☐ There is another court order that may affect the custody and visitation order. (Give details about what court issued the order, when, what the order says, etc.):

6. **Denial of Custody / Visitation.** The other parent is violating the custody / visitation order in the following ways (*explain when you last saw the children, your attempts to see the children, and any known reasons why the other parent will not let you see the children*):

She has my daughter for longer than she is  
Suppose to. Today is the 30th of October 2019.  
and she has yet to return my daughter to me.

(Attach additional pages if more space is needed)

7. **Police.** (☒ *check one*)

☐ I have not contacted the police about this situation.

☒ I have contacted the police about this situation. (*Give details about when you contacted police, the police report, what action the police took, etc.*):

Thursday October 24, 2019 - October 28, 2019.

8. **Child Protective Services.** (☒ *check one*)

☐ I have not contacted CPS about this situation.

☒ I have contacted CPS about this situation. (*Give details about when you contacted CPS, any action CPS took, the caseworker's name, etc.*):

October 24, 2019 Spoke with Kimberly Gibson  
She told me to call police and report them  
missing. I also called the CPS Suicide Hotline.



9. **Contempt and Other Remedies.** The Court should issue an Order to Show Cause and find the offending party in contempt. In addition, I would like: (☒ check any that apply)

☐ **Compensatory Time.**

The court should award me the following time with the child(ren) to make up for the missed time due to the other parent's violation.

(Describe when you would like to have the children to make up for the lost time)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☒ **Pickup Order / Warrant to Take Physical Custody of a Child.** The Court should enter an order and/or a warrant allowing me to pick up the children with the assistance of law enforcement.

10. In addition to the relief requested above, I would like the Court to also order the following:

(Explain anything else that you would like the judge to order, or enter "N/A" if you do not want anything else. Be specific.)

Supervised visitation, No over night visits.  
request up to 2 1/2 hrs only.

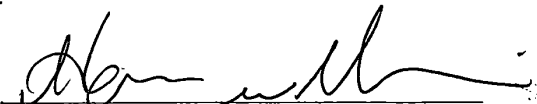
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I respectfully ask the Court to grant me the relief requested above, including an award of attorney's fees if I am able to retain an attorney for this matter, and any other relief the Court finds appropriate.

DATED 10/30, 20 19.

Submitted By: (your signature)

(print your name)

  
Herman B. Williams

**DECLARATION IN SUPPORT OF MOTION FOR AN ORDER TO SHOW CAUSE  
REGARDING CONTEMPT AND TO ENFORCE CHILD CUSTODY AND/OR  
VISITATION**

I declare, under penalty of perjury:

a. I have read the foregoing motion, and the factual averments it contains are true and correct to the best of my knowledge, except as to those matters based on information and belief, and as to those matters, I believe them to be true. Those factual averments contained in the referenced filing are incorporated here as if set forth in full.

b. Additional facts to support my requests include: *(write anything else that the judge should know to make a decision about your case, or write "N/A" if there is nothing else to add)*

Visitation Visits only on Saturdays 10AM-6PM.

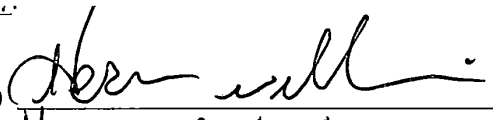
c. Any Exhibit(s) in support of this Motion will be filed separately in an Exhibit Appendix.

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

DATED 10/30, 2019.

Submitted By: *(your signature)*

*(print your name)*

  
Herman E. Williams.

MOFI

DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA

Nadine Alecia Williams.  
Plaintiff/Petitioner

Herman G. Williams.  
Defendant/Respondent

Case No. D19-586291-D.

Dept. I.

**MOTION/OPPOSITION  
FEE INFORMATION SHEET**

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

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

<input type="checkbox"/> <b>\$25</b>	The Motion/Opposition being filed with this form is subject to the \$25 reopen fee.
-OR-	
<input checked="" type="checkbox"/> <b>\$0</b>	The Motion/Opposition being filed with this form is not subject to the \$25 reopen fee because:
<input checked="" type="checkbox"/>	The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.
<input type="checkbox"/>	The Motion/Opposition is being filed solely to adjust the amount of child support established in a final order.
<input type="checkbox"/>	The Motion/Opposition is for reconsideration or for a new trial, and is being filed within 10 days after a final judgment or decree was entered. The final order was entered on _____.
<input type="checkbox"/>	Other Excluded Motion (must specify) _____.

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

<input type="checkbox"/> <b>\$0</b>	The Motion/Opposition being filed with this form is not subject to the \$129 or the \$57 fee because:
<input type="checkbox"/>	The Motion/Opposition is being filed in a case that was not initiated by joint petition.
<input type="checkbox"/>	The party filing the Motion/Opposition previously paid a fee of \$129 or \$57.
-OR-	
<input type="checkbox"/> <b>\$129</b>	The Motion being filed with this form is subject to the \$129 fee because it is a motion to modify, adjust or enforce a final order.
-OR-	
<input type="checkbox"/> <b>\$57</b>	The Motion/Opposition being filing with this form is subject to the \$57 fee because it is an opposition to a motion to modify, adjust or enforce a final order, or it is a motion and the opposing party has already paid a fee of \$129.

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

The total filing fee for the motion/opposition I am filing with this form is:

☐ \$0 ☐ \$25 ☐ \$57 ☐ \$82 ☐ \$129 ☐ \$154

Party filing Motion/Opposition: Herman G. Williams.

Date 10/30/19

Signature of Party or Preparer

Herman G. Williams.

Electronically Filed  
10/30/2019

*Herman G. Williams*  
CLERK OF THE COURT

EXMT

Name: Herman Williams  
Address: 4018 Adahel Ave #204  
LAS Vegas NV 89115  
Telephone: \_\_\_\_\_  
Email Address: hermanwilliams002@gmail.com  
Self-Represented

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Nadine Alecia Williams  
Plaintiff,

CASE NO.: D-19-586291-D

DEPT: I

vs.

Herman G. Williams  
Defendant.

**EX PARTE MOTION FOR RETURN OF CHILD(REN)**

(Your name) Herman G Williams in proper person, hereby files  
this Ex Parte Motion For Return of Child(ren).

This application is based upon the pleadings and papers on file, the affidavit of Movant, and  
any exhibits which are attached to this motion.

Submitted By: Herman G. Williams  
(☒ check one) ☐ Plaintiff / ☒ Defendant In Proper Person

**POINTS AND AUTHORITIES  
LEGAL ARGUMENT**

If it appears that a child has been or is likely to be concealed within the state or taken out of  
the state, the court shall order the child to appear and shall make a determination most  
advantageous to and in the best interest of the child. The court may authorize law enforcement

to assist a party in obtaining physical custody of a child. Any such order shall require the moving party to give 24 hours' notice to the person with physical custody of the child prior to the moving party obtaining physical custody of the child, unless the court deems that such notice would likely defeat the purpose of the order.

A proceeding under this section must be given priority on the court's calendar. NRS 125C.0055.

### FACTS AND ARGUMENT

1. **Number of Minor Children.** The parties have (number) 4 minor children in common.

The children are:

Child's Name:	Date of Birth	State of Residence:
Abigail Williams	10/27/04	LAS Vegas, NV
Herman Williams III.	8/24/08	LAS Vegas, NV
Matthew Williams	5/13/10	LAS Vegas, NV
Elisha Williams	4/26/13	LAS Vegas, NV

2. **Current Custody Order.** The current custody order was filed on (date of your current custody order) August 22, 19. The current custody order is: (☒ check one)

☐ I have visitation and the other parent has primary physical custody.

☐ I have joint physical custody.

☒ I have primary physical custody and the other parent has visitation.

3. **Timeshare.** I am supposed to have time with the child(ren) on the following days/times

(describe when the order states you are to have time with the children):

Defendant has Saturdays only from 10AM-6PM  
And any holiday that is scheduled through  
the district of Dept I.

4. **Denial of Custody / Visitation.** I am entitled to custody / visitation with the children but the other parent is refusing to allow me to exercise my time with the children. The last contact I had with the children was (explain the last time you saw or talked to the children):

The last time I saw Abigail my daughter was on 10/25/19. She and the mother came by house to pick-up her things and her brother Hermann.

5. **Attempt to Resolve.** (☒ check one)

☒ I tried to resolve this issue with the other party before filing this motion.

☐ I did not try to resolve this issue with the other party before filing this motion. Any attempt to resolve the issue would have been useless or impractical because (explain why you did not try to resolve this issue directly with the other party before filing this motion)

I called her and I called the police.

6. **Best Interest.** It is in the best interest of the children to grant me temporary sole physical custody and to return the children to me immediately because (describe why you should have temporary sole physical custody of the children and why they should be turned over to you immediately rather than waiting for a court hearing. Be specific about any emergency or harm that may happen if the children are not returned to you right away):

The reason I am concerned is because the mother has had a CPS case against her and her time with the my daughter Abigail is far from over. She is suppose to be at home with me (the father). She has and stated that Abigail is not coming home. She resides with me. I don't know what is going on with her at her mothers home. That's why she had a CPS case against her. She hit my daughter with a pipe and flying pen.

7. **Notice to Other Parent.** If the Order for Return of Children is granted (☒ check one)

☐ I will provide the other parent 24 hours' notice before I pick up the children.

☒ The court should waive the 24 hours' notice requirement because (explain why no notice should be given to the other parent before you pick up the children):

Because the mother knows that her time is only on Saturdays. She is harboring her own daughter. She picked her up without father's permission.

I respectfully ask the Court to order the following:

1. Enter an Order for Return of Children, turning over physical custody of the children to me, along with their necessary belongings, clothing, and personal effects;
2. Authorize any and all law enforcement agencies, including METRO, to assist in retrieving the child(ren) and/or their belongings, clothing and effects;
3. Waive the 24 hour notice period if appropriate;
4. An award of attorney's fees if I am able to retain an attorney for this matter;
5. Any other relief the Court finds appropriate.

DATED 10/30, 20 19:

Submitted By: (your signature)

(print your name)

Herman G. Williams  
Herman G. Williams

**DECLARATION IN SUPPORT OF EX PARTE MOTION FOR RETURN OF  
CHILD(REN)**

I declare, under penalty of perjury:

a. I have read the foregoing motion, and the factual averments it contains are true and correct to the best of my knowledge, except as to those matters based on information and belief, and as to those matters, I believe them to be true. Those factual averments contained in the referenced filing are incorporated here as if set forth in full.

b. Additional facts to support my requests include: (write anything else that the judge should know to make a decision about your case, or write "N/A" if there is nothing else to add)

I have primary care for my daughter. I feel she is in a bad environment. because my daughter is on punishment and my daughter doesn't want to lose my authority, but her mother is allowing her. I told her <sup>bottom.</sup> <sub>page</sub>

c. Any Exhibit(s) in support of this Motion will be filed separately in an Exhibit Appendix.

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

DATED 10/30, 2019.

Submitted By: (your signature)

(print your name)

Herman Williams

to not allow a party But she allowed it anyway. I've asked her repeatedly But again she went ahead with it anyway. Undermining my authority. She had the kids with her for the weekend Fri-Sun and did not have them take any baths. I just feel that she is unfit for my children to around. They did not come back with any of their items they left my home with. I.E. Toothbrush - Matthew. Herman - a jersey and he Bookbag - Elisha. nasarash under his arm. Brand New pair of Sneakers came back ripped up.



Electronically Filed  
10/30/2019

*Heather J. Smith*  
CLERK OF THE COURT

EXMT

Name: Herman Williams  
Address: 4018 Adabella Ave #204  
Las Vegas NV 89115  
Telephone: \_\_\_\_\_  
Email Address: hermanwilliams002@gmail.com  
Self-Represented

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Nadine Alecia Williams

Plaintiff,

vs.

Herman G. Williams

Defendant.

CASE NO.: D-19-586291-D

DEPT: I.

**EX PARTE MOTION FOR AN ORDER SHORTENING TIME**

☐ Plaintiff / ☒ Defendant, (your name) Herman G. Williams  
in proper person, files this Ex Parte Motion for an Order Shortening Time pursuant to EDCR 5.31, and requests that this Court shorten the time in which to hear the Movant's Motion for an Order to Show Cause Regarding Contempt and to Enforce Child Custody and/or Visitation.

This application is based upon the pleadings and papers on file and the declaration of Movant attached to this motion.

DATED this (day) 30 day of (month) October, 20 19.

Submitted By: (your signature) ▶ *Herman G. Williams*

(print your name) Herman G. Williams

**DECLARATION IN SUPPORT OF EX PARTE MOTION FOR AN ORDER  
SHORTENING TIME**

I declare, under penalty of perjury:

1. I am the Movant in this case. I have personal knowledge of the facts contained herein and am competent to testify to these facts.
2. There is a hearing scheduled for my Motion for an Order to Show Cause Regarding Contempt and to Enforce Child Custody and/or Visitation on (current court date) \_\_\_\_\_ at (time of hearing) \_\_\_\_\_.

3. (☒ check one)

- ☒ The other party was already served with a copy of the underlying motion on which the hearing is based. The motion was served (☒ check one) ☒ by mail / ☐ by personal service on (date of service) 10/30/2019.
- ☐ The other party HAS NOT been served with a copy of the motion yet. I **understand emergency hearings are not normally granted until the other party is served with the motion.** The judge should consider my request without waiting for the other party to be served because (explain why you need the judge to consider your request before the other party is served)
- \_\_\_\_\_
- \_\_\_\_\_

4. There is an emergency that cannot wait until the regular court date to be heard. The emergency is: (explain why you need the judge to hear your case quickly)

that my daughter is with her mother who had a CPS case against her. I do not know what she is doing with my child under her care. I am primary care and she is suppose to be home.

5. This Ex Parte Motion for an Order Shortening Time is made in good faith.
6. I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

DATED this (day) 30 day of (month) October, 20 19.

Submitted By: (your signature) ▶

(print your name)

Herman G. Williams  
Herman G. Williams

Electronically Filed  
10/30/2019

*Herman G. Williams*  
CLERK OF THE COURT

CSERV  
Name: Herman Williams.  
Address: 4018 Adabella Ave #204  
LAS Vegas NV 89115.  
Telephone: \_\_\_\_\_  
Email Address: Herman Williams  
In Proper Person

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Nadine Alecia Williams.  
Plaintiff,

CASE NO.: D-19-586291-D  
DEPT: I.

vs.

Herman G. Williams.  
Defendant.

**CERTIFICATE OF SERVICE**

I, (name of person who served the document) Herman G. Williams.,  
declare under penalty of perjury under the law of the State of Nevada that the following is true  
and correct. That I served the: (check all that apply)

- ☒ Motion      ☐ Answer      ☐ Financial Disclosure Form  
☐ Opposition      ☐ Reply      ☐ Notice of Entry of Judgment / Order / Decree  
☐ Other: \_\_\_\_\_

In the following manner: (check one)

- ☒ **Mail:** By depositing a copy in the U.S. Mail in the State of Nevada, postage prepaid, on  
the (day) 30 of (month) October, 2019 addressed to:

(Print the name and address of the person you mailed the document to)

Nadine Alecia Williams.  
10116 Desert Tree St.  
LAS Vegas NV 89141.

- ☐ **Electronic:** Through the Court's Electronic service system on (date) \_\_\_\_\_  
at (time) \_\_\_\_\_ ☐ a.m. ☐ p.m.

DATED this 30 day of Oct, 2019

Submitted By: (Signature) *Herman G. Williams*

Electronically Filed  
10/30/2019

*Herman G. Williams*  
CLERK OF THE COURT

CSERV  
Name: Herman Williams  
Address: 4618 Adabella Ave. #204  
LAS Vegas NV 89115  
Telephone: \_\_\_\_\_  
Email Address: hermanwilliams002@gmail.com  
In Proper Person

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Nordine Alecia Williams.  
Plaintiff,

CASE NO.: D-19-586291-D  
DEPT: I

vs.  
Herman G. Williams.  
Defendant.

**CERTIFICATE OF SERVICE**

I, (name of person who served the document) Herman G. Williams.,  
declare under penalty of perjury under the law of the State of Nevada that the following is true  
and correct. That I served the: **(check all that apply)**

- ☒ Motion      ☐ Answer      ☐ Financial Disclosure Form  
☐ Opposition      ☐ Reply      ☐ Notice of Entry of Judgment / Order / Decree  
☐ Other: \_\_\_\_\_

In the following manner: **(check one)**

- ☒ **Mail:** By depositing a copy in the U.S. Mail in the State of Nevada, postage prepaid, on  
the (day) 30 of (month) Oct, 20 19 addressed to:

(Print the name and address of the person you mailed the document to)

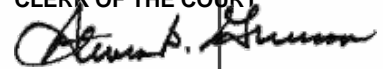
Frank Toti Esq  
6900 Westcliff Drive #500  
LAS Vegas, NV 89145

- ☐ **Electronic:** Through the Court's electronic service system on (date) \_\_\_\_\_  
at (time) \_\_\_\_\_ ☐ a.m. ☐ p.m.

DATED this 30 day of October, 20 19.

Submitted By: (Signature) ▶

*Herman G. Williams*



**ORDR**

FRANK J TOTI 005804  
6900 Westcliff Drive #500  
Las Vegas Nevada 89145  
p 702.364.1604 f 702.364.1603  
Attorney for N. Williams

**DISTRICT COURT  
CLARK COUNTY NEVADA**

**NADINE WILLIAMS**  
Plaintiff,

v

**HERMAN GEORGE WILLIAMS**  
Defendant

} Case D 19 586291 D  
} Dept I  
} Family Court

**ORDER**

This matter, having come on before the Court on this the  
twenty-sixth day of August, 2019, Plaintiff, Nadine Williams,  
appearing and represented by Frank J Toti Esquire and  
Defendant, Herman Williams, appearing in Proper Person; the  
Court having reviewed the pleadings and papers previously on file  
herein, having considered the arguments of counsel and good cause  
appearing therefore:

1       **IT IS HEREBY ORDERED** that the parties shall have  
2 temporary joint legal custody.  
3

4       **IT IS FURTHER ORDERED** that Plaintiff shall have day  
5 visits with the minor children every Saturday commencing at 10.00 am  
6 until 6.00 pm.  
7

8       **IT IS FURTHER ORDERED** that the parties may video  
9 record each other in person.  
10

11       **IT IS FURTHER ORDERED** that parties shall follow the  
12 Department I holiday schedule. A copy of said holiday schedule is  
13 attached hereto as exhibit one and incorporated herein by reference.  
14

15       **IT IS FURTHER ORDERED** that there shall be no corporal  
16 punishment in either household. If the oldest child needs to be  
17 disciplined, Plaintiff may take away the child's cell phone; however, if  
18 the child wants to talk or text Defendant she can ask Plaintiff for  
19 permission and the child shall be allowed to talk/text Defendant and  
20 return the cell phone to Plaintiff until the grounding period is over. If  
21 Plaintiff has to discipline the child, Defendant shall find out what  
22 happened and support Plaintiff.  
23  
24  
25  
26  
27  
28

1       **IT IS FURTHER ORDERED** that Ms. Donna Gosnell shall be  
2 the reunification counselor and father shall cooperate. if father has any  
3 questions regarding the appointments, father may speak to Ms.  
4 Gosnell's office. Plaintiff shall pre-pay for Ms. Gosnell's services  
5 without prejudice. If Defendant fails to cooperate with appointments,  
6 the court will consider changing custody.  
7

8  
9       **IT IS FURTHER ORDERED** that both parents shall complete  
10 ABCs of parenting and Teen Triple P class through the parenting  
11 project. Defendant shall complete the ABCs of parenting first and the  
12 Teen Triple P class second. Plaintiff shall take the Teen Triple P class  
13 first and the ABC's of parenting second.  
14

15  
16       **IT IS FURTHER ORDERED** that parties shall complete the  
17 on-line high conflict class. Department I's judicial executive assistant  
18 shall e-mail the link to attorney toti and father.  
19

20  
21       **IT IS FURTHER ORDERED** that parties shall complete the  
22 COPE class.  
23

24       **IT IS FURTHER ORDERED** that parties shall continue to  
25 communicate through AppClose. The parties can upload medical bills  
26 to get half of the reimbursement from the other party.  
27  
28

1       **IT IS FURTHER ORDERED** that Defendant may continue to  
2 use the 2015 Chevrolet Silverado truck. Plaintiff's request for the  
3 return of the truck is deferred to trial.  
4

5       **IT IS FURTHER ORDERED** that with regard to the garage  
6 door and mailbox key, Defendant shall place the two items in a plastic  
7 bag and hand it to Plaintiff at the next child exchange. Defendant may  
8 take a picture of himself handing over the plastic bag with the two  
9 items.  
10

11  
12       **IT IS FURTHER ORDERED** that the Court shall monitor  
13 Plaintiff's Department of Family Services appeal.  
14

15       **IT IS FURTHER ORDERED** that Plaintiff shall take pictures  
16 of everything in the garage including anything behind the scaffold, the  
17 speaker box, and the transmission. mother shall send the pictures  
18 through AppClose and Defendant shall identify the items he wants.  
19 Plaintiff shall designate a date for father to pick-up the items and he  
20 shall have one (1) hour to take his belongings. Defendant shall work  
21 with Plaintiff's attorney to coordinate the pick-up of his belongings.  
22 Plaintiff may put the items in front of the garage for Defendant to pick-  
23 up.  
24  
25  
26  
27  
28



1           **IT IS FURTHER ORDERED** that the Calendar Call is set for  
2 1/22/20 at 9:00 a.m. to find out if the parties have taken the parenting  
3 classes or if custody needs to be changed.  
4

5           **IT IS FURTHER ORDERED** that a non-jury trial (stack 1) set  
6 for 2/4/20 at 1:30 p.m. stands.  
7

8           DATED this \_\_\_\_\_ day of OCT 24 2019, 2019  
9

10  
11  
12   
13 DISTRICT COURT JUDGE  
14  
15

16  
17 Submitted by:  
18


19   
20 FRANK J TOTI 005804  
21 6900 Westcliff Drive #500  
22 Las Vegas Nevada 89145  
23 Attorney for N. Williams  
24  
25  
26  
27  
28

exhibit one

DISTRICT COURT  
CLARK COUNTY, NEVADA  
Family Division

<p style="text-align: center;">Plaintiff,  -VS-  Defendant.</p>	<p>CASE NO: _____</p> <p>DEPT. "I"</p>
---	--

**DEFAULT HOLIDAY AND VACATION SCHEDULE**

The Court encourages the parties to communicate regarding holiday and vacation time with their children. The following *holiday and vacation plan* is a "default" plan when the parties are unable to agree. This schedule shall remain in effect until (1) the parties agree, in a writing signed by both parties, to an alternate schedule or (2) by subsequent order of the court.

***Precedence:***

The *holiday* schedule shall take precedence over *vacation* periods and *vacation* periods shall take precedence over regular timeshare periods. Where there is an overlap of conflicting holidays, the following priority shall prevail:

	<u>Odd Year</u>	<u>Even Year</u>
Overlap Precedent	DAD	MOM

***Weekend Holidays***

The parents will share weekend holidays based on the following schedule, with residential time to begin upon the release of school for the holiday period and continue until the morning school resumes following the holiday, at the first morning bell, unless otherwise noted. In the event that school is not in session, the following holiday time will begin at 3:00 p.m. on Friday and continue until 9:00 a.m. on the first weekday following the holiday.

	<u>Odd Year</u>	<u>Even Year</u>
Martin Luther King Day Weekend	MOM	DAD
President's Day Weekend	DAD	MOM
Mother's Day Weekend	MOM	MOM
Memorial Day Weekend	MOM	DAD

Father's Day Weekend	DAD	DAD
Independence Day <sup>1</sup>	DAD	MOM
Labor Day Weekend	MOM	DAD
Nevada Admission Day Weekend	MOM	DAD
Halloween Day <sup>2</sup>	MOM	DAD
Veterans' Day Weekend	DAD	MOM

#### ***Birthdays***

The parents will share birthdays based on the schedule set forth below. The birthday schedule will begin after school on the birthday [or if school is not in session at 9:00 a.m.] and continue until the morning following the birthday at 9:00 a.m., or when school begins, at the first morning bell, if school is in session, when the regular residential schedule will resume. The designated parent shall be entitled to have all of the parties' children in his/her care during the birthday period.

	<u>Odd Year</u>	<u>Even Year</u>
Mother's Birthday	MOM	MOM
Father's Birthday	DAD	DAD
Children's Birthday	MOM	DAD

#### ***Easter/Spring Break***

The parents will share the Easter/Spring Break based on the following schedule, with the holiday period to begin upon the release of school for the holiday period and continue until school resumes following the Spring Break at the first morning bell.

	<u>Odd Year</u>	<u>Even Year</u>
Easter/Spring Break	DAD	MOM

#### ***Thanksgiving***

The parents will share the Thanksgiving Break based on the following schedule, with the holiday period to begin upon the release of school before Thanksgiving and shall continue until school resumes following the holiday, at the time of the first morning bell.

	<u>Odd Year</u>	<u>Even Year</u>
Thanksgiving Break	MOM	DAD

<sup>1</sup> Independence Day will include the weekend if the holiday occurs on a Friday, Saturday, Sunday or Monday of any given year. In the event the holiday occurs on Tuesday, Wednesday, or Thursday, it will be treated as a one day holiday and shall begin at 9:00 a.m. on July 3<sup>rd</sup> and continue until July 5<sup>th</sup> at 9:00 a.m..

<sup>2</sup> Halloween will be celebrated as a one day holiday, beginning upon the release of school, or 10:00 a.m. if school is not in session, and continuing until the next morning when school resumes or 10:00 a.m. if school is not in session.

#### **Winter Break**

The winter break holiday period will be divided into two segments based on the school calendar. Specifically, the first segment will begin on the day the school calendar releases for the break and shall continue until December 28<sup>th</sup> at 12:00 p.m. (noon), when the other parent's timeshare shall begin, to continue until school resumes following the Winter Break, at the first morning bell.

	<u>Odd Year</u>	<u>Even Year</u>
First Segment/Christmas	DAD	MOM
Second Segment/New Year's	MOM	DAD

#### **Religious Holidays**

When parents do not share the same religious beliefs, each parent shall have the right to provide religious instruction of their choosing to the child(ren). When both parents are of the same faith, both parents shall have the opportunity to enjoy the right to celebrate a religious holiday with the child(ren) on an alternating year basis. The following sample religious holiday schedules are intended to provide examples of shared holiday schedules for religious holidays and apply *only if* one or both parents have traditionally celebrated such holidays with the parties' children:

#### **Jewish Holiday**

The following holidays begin upon the release of school before the holiday period, or if school is not in session at 3:00 p.m., and continue as designated until school resumes the day after the holiday period, or if school is not in session at 9:00 a.m.:

	<u>Odd Year</u>	<u>Even Year</u>
Passover* [1 <sup>st</sup> two nights]	DAD	MOM
Rosh Hashanah [2 day holiday]	MOM	DAD
Yom Kippur [One day holiday]	DAD	MOM
Purim [One day holiday]	MOM	DAD
Sukkot [1 <sup>st</sup> two nights]	DAD	MOM
Hanukkah [1 <sup>st</sup> two nights]	MOM	DAD

#### **Baha'i Holy Days and Commemorative Days**

The following holidays, when work is to be suspended, begin upon the release of school before the holiday period, or if school is not in session at 3:00 p.m., and continue as designated until school resumes the day after the holiday period, or if school is not in session at 9:00 a.m.:

Naw-Ruz	DAD	MOM
March 21		
Festival of Ridvan	MOM	DAD
April 21		
Declaration of the Bab	DAD	MOM
May 23		
Ascension of Baha'u'llah	MOM	DAD
May 29		

Martyrdom of Bab July 9	DAD	MOM
Birth of the Bab October 20	MOM	DAD
Birth of Baha'u'llah November 12	DAD	MOM

#### ***Summer/Track Vacation***

The following vacation/track schedule initiated by the Judge shall apply:

           ***Alternating Week Timeshares/Option 1:*** If the parties share custody on an alternating week schedule (7 days on/7 days off), each party may elect a one-week vacation period each year during the summer/track release for the XCSD school district. The one-week (7-day) period may be attached to the regular timeshare to create one three-week vacation period for each parent.

OR

           ***Alternating Week Timeshares/Option 2:*** If the parties share custody on an alternating week schedule (7 days on/7 days off), each party may elect two 3-day periods to add to a regular weekly timeshare during the summer months or track break for the XCSD school district, to allow each parent two 10-day vacation periods each year during the summer release months or school track break.

OR

           ***Traditional Vacation Schedule/Option 3:*** Each parent shall have one fourteen (14) day uninterrupted summer timeshare with the child(ren) per year during the period of summer or track release for the XCSD school district. The fourteen (14) day period may not be added to regular timeshare dates to extend a parent's summer vacation beyond fourteen days (14) days without the written consent of the other party.

The parent with selection priority shall provide notice of his/her summer vacation dates in writing via email by March 1<sup>st</sup> with the other parent providing notice of her/his summer vacation dates in writing via email by March 15<sup>th</sup>. Track vacation dates must be designated at least 30 days before the track break begins. Failure to provide notice of summer/track vacation dates by the deadline provided shall constitute a waiver of priority and the other party shall have the right to provide written notice of his/her summer/track vacation dates, which shall take precedence for that year only. If a party does not provide written notice of his or her vacation dates by May 1<sup>st</sup>, that party shall have waived his right to exercise a vacation period for that year only.

	<u><i>Odd Year</i></u>	<u><i>Even Year</i></u>
Vacation Selection Priority	DAD	MOM
<b><i>Year-Round School</i></b>		

In the event the parties' child(ren) attend year round school, the regular timeshare shall continue during all track breaks unless (1) either party has designated a vacation period, as set forth above, or (2) otherwise agreed in a writing signed by both parties.

#### ***In-Service/Professional Development Days***

Undesignated school holidays shall follow the parties' regular timeshare schedule. However, in the event an undesignated school holiday or in-service day is attached to a weekend or other holiday period, the undesignated holiday shall attach to the weekend or other holiday period and the parent assigned the weekend or holiday period shall have the child upon the release of school for the weekend or holiday period (including any undesignated period) until school resumes following the weekend or other holiday period, at the first morning bell.

***Transportation***

The receiving parent shall be responsible for providing transportation unless otherwise ordered by the Court.

***Any additional time shall be by written agreement signed by both parties.***

Electronically Filed  
10/31/2019

*Herman G. Williams*  
CLERK OF THE COURT

MOT

Your Name: Herman Williams.

Address: 4018 Adabella Ave. #204.

Las Vegas NV 89115

Telephone: 702-723 9501.

Email Address: hermanwilliams002@gmail.com.

In Proper Person

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Nadine Alecia Williams.

Plaintiff,

vs.

Herman George Williams

Defendant.

CASE NO.: D-19-586291-D.

DEPT: I.

DATE OF HEARING: 12-16-19

TIME OF HEARING: 9:00 A.M.

Oral Argument Requested: ☒ Yes ☐ No

**MOTION AND NOTICE OF MOTION FOR AN ORDER TO ENFORCE AND/OR FOR  
AN ORDER TO SHOW CAUSE REGARDING CONTEMPT**

TO: Name of Opposing Party and Party's Attorney, if any, Nadine Alecia Williams <sup>Frank Toti</sup>

PLEASE TAKE NOTICE that a hearing on this motion will be held on the date and time  
above before the Eighth Judicial District Court - Family Division located at: (☒ check one)

- ☒ The Family Courts and Services Center, 601 N. Pecos Road Las Vegas, Nevada 89101.  
☐ The Regional Justice Center, 200 Lewis Avenue Las Vegas, Nevada 89101.  
☐ The Child Support Center of Southern Nevada, 1900 E. Flamingo Rd #100, LV NV 89119.

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

Submitted By: Herman G. Williams.

(☒ check one) ☐ Plaintiff / ☒ Defendant In Proper Person



## MOTION

(Your name) Herman George Williams., in Proper Person, moves this Court for an order to enforce current court orders and for an order to show cause why the opposing party should not be held in contempt and punished accordingly for violating this court's order. (☒ check one)

- ☒ I tried to resolve this issue with the other party before filing this motion.
- ☐ I did not try to resolve this issue with the other party before filing this motion. Any attempt to resolve the issue would have been useless or impractical because *(explain why you did not try to resolve this issue directly with the other party before filing this motion)*
- 
- 

### Financial Disclosure Form ("FDF") Certification. (☒ check one)

- ☐ This motion does not have anything to do with money or financial relief.
- ☒ I understand that I must file my FDF within 2 judicial days of filing this motion to support my request for financial relief. Failure to file a timely, complete, and accurate FDF may result in the court ruling against me and/or imposing sanctions.
- ☐ I filed a Financial Disclosure Form in the last 6 months and have no changes to report.

## POINTS AND AUTHORITIES LEGAL ARGUMENT

The refusal to obey a lawful order issued by the court is an act of contempt. NRS 22.010(3). The facts of contempt must be presented to the court through an affidavit. NRS 22.030(2). A person found guilty of contempt may be fined up to \$500 for each act of contempt, may be imprisoned for up to 25 days, or both. A person found guilty of contempt may also be required to pay the reasonable expenses, including attorney's fees, of the person seeking to enforce the order. NRS 22.100.

### FACTS AND ARGUMENT

1. **Violation.** I believe the other party is violating court orders. The Court should find the other party in contempt because the other party: (☒ *check all that apply*)

Child Support:

- ☐ Does not pay child support at all  
☐ Pays less child support than ordered  
☐ Pays child support late

Alimony:

- ☐ Does not pay alimony at all  
☐ Pays less alimony than ordered  
☐ Pays alimony late

Other:

- ☐ Does not obey the custody / visitation schedule  
☐ Does not obey the Behavior Order  
☐ Has not returned property to me

☒ Other: Refuses to Register.  
2015 Chevy Silverado.

Details about the contempt(s) alleged above are in the attached Declaration.

2. **Garnishment.** (☒ *check appropriate boxes below*)

Does the violation have to do with unpaid child support and/or alimony? ☐ Yes ☐ No

If yes, do you want the judge to order the other party to have his/her wages garnished to pay future child support and/or alimony? ☐ Yes ☐ No

3. **Enforcement.** I would like the Court to issue any orders necessary to effectuate compliance with the court order.

4. **Other Relief.** In addition to the relief requested above, I would like the Court to also order the following: (*Explain anything else that you would like the judge to order, or enter "N/A" if you do not want anything else. Be specific.*) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I respectfully ask the Court to grant me the relief requested above, including an award of attorney's fees if I am able to retain an attorney for this matter, and any other relief the Court finds appropriate.

DATED 10/31, 2019.

Submitted By: (*your signature*)

(*print your name*)

Herman G. Williams  
Herman G. Williams

**DECLARATION IN SUPPORT OF MOTION FOR AN ORDER TO ENFORCE AND/OR  
FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT**

I have personal knowledge of the facts constituting the contempt(s), which are explained in detail below:

**How to Fill Out The Next Section:**

Get a copy of the court order that is being violated.

The order shows on the upper right corner of the first page the date the order was filed. Write this date in the section that says "date court order was filed." (*ex.*, 2/1/2018)

Find the pages where the court order says what the other party is supposed to do. Find the line number or paragraph number where the order specifically says what the other party is supposed to do. Write these numbers on the "page" and "line/paragraph number" line. (*ex.*, page 3, line 21)

Finally, write what the order says the party is supposed to do (*ex.* Defendant is supposed to pay \$300 per month in child support), how the party is violating the order (*ex.* Defendant has not paid any child support), and the dates of the violation (*ex.* March 2018-present).

**List each violation separately.**

**You can include violations for 2 separate court orders, and 2 violations for each court order.**  
You can add more pages if needed to describe more violations.

1. **First Court Order Being Violated.** The other party is violating the terms of a Court order that the Court entered on (date court order was filed) October 24, 2019.

- a. The Court order says on page 4, line/paragraph number 1-2 that the other party is supposed to: (write what the order says the other party is supposed to do):

Defendant is to remain with 2015 Chevy  
Silverado Truck

The other party is not following this part of the order. The other party is (describe what the other party is doing or not doing that violates the order) She is refusing  
to update the registration and I can not  
use the vehicle for work.

The violation happened on (date(s) of violation) 10/25/19 - 10/31/19.

- b. The Court order says on page \_\_\_\_\_, line/paragraph number \_\_\_\_\_ that the other party is supposed to: *(write what the order says the other party is supposed to do)*:

N/A

The other party is not following this part of the order. The other party is *(describe what the other party is doing or not doing that violates the order)* \_\_\_\_\_

N/A.

The violation happened on *(date(s) of violation)* \_\_\_\_\_.

2. **Second Court Order Being Violated.** The other party is violating the terms of a Court order that the Court entered on *(date court order was filed)* \_\_\_\_\_. According to the Court order, the other party is supposed to do the following:

- a. The Court order says on page \_\_\_\_\_, line/paragraph number \_\_\_\_\_ that the other party is supposed to: *(write what the order says the other party is supposed to do)*:

N/A.

The other party is not following this part of the order. The other party is *(describe what the other party is doing or not doing that violates the order)* \_\_\_\_\_

N/A.

The violation happened on *(date(s) of violation)* \_\_\_\_\_.

- b. The Court order says on page \_\_\_\_\_, line/paragraph number \_\_\_\_\_ that the other party is supposed to: *(write what the order says the other party is supposed to do)*:

N/A

The other party is not following this part of the order. The other party is *(describe what the other party is doing or not doing that violates the order)* \_\_\_\_\_

N/A.

The violation happened on *(date(s) of violation)* \_\_\_\_\_.

3. **Notice.** (☒ check one)

- ☐ The other party was served with a copy of the first court order on *(date the party was served with the order)* N/A. and was served with a copy of the second court order on *(date the party was served with the order)* N/A.

☒ The other party knows about the court order(s) because *(explain how the other party is aware of the court order)* Plaintiff was present in court with council on Aug 22, 2019 when order was made. Plaintiff made no objection to the order.

4. **Harm.** I am being harmed or will be harmed by the other party's violation in the following ways: *(explain how the other party's violation is affecting you)*.

got pulled over by cops.  
need vehicle for work.  
need vehicle to take children to and go to school. Take her mother to work.

5. **Money Due / Arrears.** *If the other party is not paying child support or alimony, you have to fill out a form called a "Schedule of Arrears." The Schedule of Arrears lists every missed or partial payment with a grand total of what is now due (including any applicable interest or penalties).*

(☒ check all that apply)

- ☒ The other party's violation does not have to do with unpaid money.
- ☐ The other party owes me for unpaid child support. The other party has not paid a total of \$\_\_\_\_\_ in child support. This amount should be reduced to judgment.
- ☐ The other party owes me for unpaid spousal support. The other party has not paid a total of \$\_\_\_\_\_ in spousal support. This amount should be reduced to judgment.
- ☐ The other party has not paid me other amounts owed (*Explain how much money the other party owes you and why*): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

This amount should be reduced to judgment.

6. **Need for Contempt Ruling.** The judge should find (*write the name of other party who is violating court orders*) Nadine Alecia Williams in contempt because

(*explain why the judge should hold the person in contempt*) She is willfully disobeying the court order. She is purposely interfering with my livelihood.

7. Any Exhibit(s) in support of this Motion will be filed separately in an Exhibit Appendix.

I have personal knowledge of the facts constituting the contempt(s) explained above. I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

DATED 10/31, 2019.

Submitted By: (*your signature*)

(*print your name*)

Herman G. Williams

MOFI

DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA

Nordine Alecia Williams.  
Plaintiff/Petitioner

Herman George Williams  
Defendant/Respondent

Case No. D-19-586291-D.  
Dept. I.

**MOTION/OPPOSITION  
FEE INFORMATION SHEET**

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

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

<input type="checkbox"/>	<b>\$25</b> The Motion/Opposition being filed with this form is subject to the \$25 reopen fee.
-OR-	
<input checked="" type="checkbox"/>	<b>\$0</b> The Motion/Opposition being filed with this form is not subject to the \$25 reopen fee because:
<input checked="" type="checkbox"/>	The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.
<input type="checkbox"/>	The Motion/Opposition is being filed solely to adjust the amount of child support established in a final order.
<input type="checkbox"/>	The Motion/Opposition is for reconsideration or for a new trial, and is being filed within 10 days after a final judgment or decree was entered. The final order was entered on _____.
<input type="checkbox"/>	Other Excluded Motion (must specify) _____.

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

<input checked="" type="checkbox"/>	<b>\$0</b> The Motion/Opposition being filed with this form is not subject to the \$129 or the \$57 fee because:
<input checked="" type="checkbox"/>	The Motion/Opposition is being filed in a case that was not initiated by joint petition.
<input type="checkbox"/>	The party filing the Motion/Opposition previously paid a fee of \$129 or \$57.
-OR-	
<input type="checkbox"/>	<b>\$129</b> The Motion being filed with this form is subject to the \$129 fee because it is a motion to modify, adjust or enforce a final order.
-OR-	
<input type="checkbox"/>	<b>\$57</b> The Motion/Opposition being filing with this form is subject to the \$57 fee because it is an opposition to a motion to modify, adjust or enforce a final order, or it is a motion and the opposing party has already paid a fee of \$129.

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

The total filing fee for the motion/opposition I am filing with this form is:	
<input checked="" type="checkbox"/>	<b>\$0</b> <input type="checkbox"/> \$25 <input type="checkbox"/> \$57 <input type="checkbox"/> \$82 <input type="checkbox"/> \$129 <input type="checkbox"/> \$154

Party filing Motion/Opposition: Herman G. Williams Date 10/31/19

Signature of Party or Preparer \_\_\_\_\_

## Plates Turned In Receipt

---

**VIN:** 1GC2KVEG4FZ109300

**Plate Number:** LVU4W5

**Year:** 2015      **Make:** CHEV

**Date Turned In:** 7/24/2019

**Registration Fee:** 10.19

**Plate Status:** SURRENDERED

**Basic Governmental Services Tax:** 115.00

**Supplemental Governmental Services Tax:** 29.00

**CREDIT BALANCE EXPIRES ON 10/30/2019**

---

**Address**

WILLIAMS NADINE ALECIA

10116 DESERT TREES ST

LAS VEGAS, NV-891418527

**You may apply your credit, as applicable, to the registration of another vehicle, registered in your name, for registration fees, governmental services tax, and if applicable, supplemental governmental services tax fees paid. Credits not applied to another vehicle registration will expire at the end of the registration period from which the credits were generated. A \$6.00 Registration Transfer Fee will be charged when the remaining portion of this registration is transferred to another vehicle.**



Electronically Filed  
10/31/2019

*Herman S. Williams*  
CLERK OF THE COURT

EXMT

Your Name: Herman Williams.  
Address: 4018 Adabella Ave #204

Telephone: 702-720-9501  
Email Address: hermanwilliams002@gmail.com  
Self-Represented

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Nadine Alecia Williams  
Plaintiff,

vs.

Herman George Williams.  
Defendant.

CASE NO.: D-19-586291-D.

DEPT: I.

**EX PARTE MOTION FOR AN ORDER SHORTENING TIME**

☐ Plaintiff / ☐ Defendant, (your name) Herman G Williams

in proper person, hereby files an Ex Parte Motion for an Order Shortening Time pursuant to EDCR 5.513, and requests that this Court shorten the time in which to hear the (title of the upcoming hearing) Motion and notice of motion for an order to

This application is based upon the pleadings and papers on file and the declaration of Movant attached to this motion. Enforce and for an order to  
Show cause regarding contempt.

DATED 10/31, 20 19.

Submitted By: (your signature) Herman Williams  
(print your name) Herman G Williams

**DECLARATION IN SUPPORT OF EX PARTE MOTION FOR AN ORDER  
SHORTENING TIME**

I declare, under penalty of perjury:

1. I am the Movant in this case. I have personal knowledge of the facts contained herein and am competent to testify to these facts.
2. There is a hearing scheduled for (*current court date*) \_\_\_\_\_ at  
(*time of hearing*) \_\_\_\_\_.
3. (☒ *check one*)

☒ The other party was already served with a copy of the underlying motion on which the hearing is based. The motion was served (☒ *check one*) ☒ by mail /  
☐ by personal service on (*date of service*) 10/31/19.

☐ The other party HAS NOT been served with a copy of the motion yet. I  
**understand emergency hearings are not normally granted until the other  
party is served with the motion.** The judge should consider my request without  
waiting for the other party to be served because (*explain why you need the judge  
to consider your request before the other party is served*)  
\_\_\_\_\_  
\_\_\_\_\_

4. There is an emergency that cannot wait until the regular court date to be heard. The  
emergency is: (*explain why you need the judge to hear your case quickly*)

I can not work because my registration  
to my truck was canceled on July 24, 2019.  
I asked on numerous occasions for the  
price of the registration but to no avail. from  
plaintiff.

5. This Ex Parte Motion for an Order Shortening Time is made in good faith.
6. I declare under penalty of perjury under the law of the State of Nevada that the foregoing  
is true and correct.

DATED 10/31, 2019.

Submitted By: (*your signature*)

(*print your name*)

Herman G Williams

Electronically Filed  
10/31/2019

*Heather Shinn*  
CLERK OF THE COURT

EPAP  
Name: Herman Williams.  
Address: 4018 Adabella Ave #204.  
Las Vegas NV 89115.  
Telephone: 702 720 9501.  
Email Address: hermanwilliams002@gmail.com  
In Proper Person

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Nadine Alecia Williams.  
Plaintiff,

vs.

Herman George Williams  
Defendant.

CASE NO.: D-19-586291-D  
DEPT: I.

**EX PARTE APPLICATION FOR AN ORDER TO SHOW CAUSE**

(Your name) Herman George Williams. in Proper Person, submits this ex parte application for issuance of an Order to Show Cause directed to the opposing party pursuant to EDCR 5.509(b). This application is based on the pleadings and papers on file and the declaration attached to this application.

DATED 10/31, 2019.

Submitted By: (your signature)

(print your name)

*Herman Williams*  
Herman G. Williams

**DECLARATION IN SUPPORT OF EX PARTE APPLICATION FOR AN ORDER TO  
SHOW CAUSE**

I declare, under penalty of perjury:

1. I am the moving party in this action. I have personal knowledge of the facts contained in the Motion and in this Declaration and I am competent to testify to the same.
2. I filed a Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt on *(date you filed the motion)* \_\_\_\_\_. The memorandum of points and authorities, legal arguments, and declaration contained in the Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt are incorporated here as if set forth in full.

3. I am requesting the Court issue an Ex Parte Order to Show Cause because: \_\_\_\_\_  
*She is willfully disobeying the court order.*  
*She is purposely interfering with my livelihood.*

4. This Ex Parte Application for an Order to Show Cause is made in good faith.

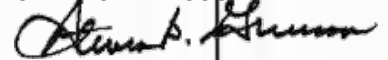
**I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.**

DATED 10/31, 2019.

Submitted By: *(your signature)* \_\_\_\_\_

*(print your name)* \_\_\_\_\_

*Herman G. Williams*  
Herman G. Williams



1 **NEO**  
2 **FRANK J TOTI 005804**  
3 **6900 Westcliff Drive #500**  
4 **Las Vegas Nevada 89145**  
5 **p 702.364.1604 f 702.364.1603**  
6 **frank@fjtesq.com**  
7 **Attorney for Defendant**

8  
9 **DISTRICT COURT, FAMILY DIVISION**  
10 **CLARK COUNTY NEVADA**

11 **NADINE WILLIAMS,**  
12 **Plaintiff,**

13 **Case No. D-19-586291-C**  
14 **Dept No. I**

15 **v**  
16 **HERMAN GEORGE WILLIAMS,**  
17 **Defendant.**

18 **NOTICE OF ENTRY OF ORDER**

19 **PLEASE TAKE NOTICE** that an **ORDER** was entered in the  
20 above-entitled action on the 30<sup>th</sup> day of October, 2019 via the Court's E-  
21 Filing System and that a true and correct copy of this NEO and the  
22 Order was sent as follows:

23 **Herman George Williams**  
24 **4018 Adabella Ave. Apt. 204**  
25 **Las Vegas, Nevada 89115**  
26 ***Plaintiff in Proper Person***



27 **FRANK J. TOTI, ESQ. 005804**  
28 **6900 Westcliff Drive #500**  
**Las Vegas, Nevada 89145**

*Steven D. Grierson*

1 **ORDR**  
2 **FRANK J TOTI 005804**  
3 **6900 Westcliff Drive #500**  
4 **Las Vegas Nevada 89145**  
5 **p 702.364.1604 f 702.364.1603**  
6 **Attorney for N. Williams**

7 **DISTRICT COURT**  
8 **CLARK COUNTY NEVADA**

9 **NADINE WILLIAMS**  
10 **Plaintiff,**

11 **v**

12 **HERMAN GEORGE WILLIAMS**  
13 **Defendant**

} **Case D 19 586291 D**  
} **Dept I**  
} **Family Court**

14 **ORDER**

15  
16  
17  
18  
19 **This matter, having come on before the Court on this the**  
20 **twenty-sixth day of August, 2019, Plaintiff, Nadine Williams,**  
21 **appearing and represented by Frank J Toti Esquire and**  
22 **Defendant, Herman Williams, appearing in Proper Person; the**  
23 **Court having reviewed the pleadings and papers previously on file**  
24 **herein, having considered the arguments of counsel and good cause**  
25 **appearing therefore:**  
26  
27  
28

1       **IT IS HEREBY ORDERED** that the parties shall have  
2 temporary joint legal custody.  
3

4       **IT IS FURTHER ORDERED** that Plaintiff shall have day  
5 visits with the minor children every Saturday commencing at 10.00 am  
6 until 6.00 pm.  
7

8       **IT IS FURTHER ORDERED** that the parties may video  
9 record each other in person.  
10

11       **IT IS FURTHER ORDERED** that parties shall follow the  
12 Department I holiday schedule. A copy of said holiday schedule is  
13 attached hereto as exhibit one and incorporated herein by reference.  
14

15       **IT IS FURTHER ORDERED** that there shall be no corporal  
16 punishment in either household. If the oldest child needs to be  
17 disciplined, Plaintiff may take away the child's cell phone; however, if  
18 the child wants to talk or text Defendant she can ask Plaintiff for  
19 permission and the child shall be allowed to talk/text Defendant and  
20 return the cell phone to Plaintiff until the grounding period is over. If  
21 Plaintiff has to discipline the child, Defendant shall find out what  
22 happened and support Plaintiff.  
23  
24  
25  
26  
27  
28

1       **IT IS FURTHER ORDERED** that Ms. Donna Gosnell shall be  
2 the reunification counselor and father shall cooperate. if father has any  
3 questions regarding the appointments, father may speak to Ms.  
4 Gosnell's office. Plaintiff shall pre-pay for Ms. Gosnell's services  
5 without prejudice. If Defendant fails to cooperate with appointments,  
6 the court will consider changing custody.  
7

8  
9       **IT IS FURTHER ORDERED** that both parents shall complete  
10 ABCs of parenting and Teen Triple P class through the parenting  
11 project. Defendant shall complete the ABCs of parenting first and the  
12 Teen Triple P class second. Plaintiff shall take the Teen Triple P class  
13 first and the ABC's of parenting second.  
14

15  
16       **IT IS FURTHER ORDERED** that parties shall complete the  
17 on-line high conflict class. Department I's judicial executive assistant  
18 shall e-mail the link to attorney toti and father.  
19

20  
21       **IT IS FURTHER ORDERED** that parties shall complete the  
22 COPE class.  
23

24       **IT IS FURTHER ORDERED** that parties shall continue to  
25 communicate through AppClose. The parties can upload medical bills  
26 to get half of the reimbursement from the other party.  
27  
28



1       **IT IS FURTHER ORDERED** that Defendant may continue to  
2 use the 2015 Chevrolet Silverado truck. Plaintiff's request for the  
3 return of the truck is deferred to trial.  
4

5       **IT IS FURTHER ORDERED** that with regard to the garage  
6 door and mailbox key, Defendant shall place the two items in a plastic  
7 bag and hand it to Plaintiff at the next child exchange. Defendant may  
8 take a picture of himself handing over the plastic bag with the two  
9 items.  
10

11  
12       **IT IS FURTHER ORDERED** that the Court shall monitor  
13 Plaintiff's Department of Family Services appeal.  
14

15       **IT IS FURTHER ORDERED** that Plaintiff shall take pictures  
16 of everything in the garage including anything behind the scaffold, the  
17 speaker box, and the transmission. mother shall send the pictures  
18 through AppClose and Defendant shall identify the items he wants.  
19 Plaintiff shall designate a date for father to pick-up the items and he  
20 shall have one (1) hour to take his belongings. Defendant shall work  
21 with Plaintiff's attorney to coordinate the pick-up of his belongings.  
22 Plaintiff may put the items in front of the garage for Defendant to pick-  
23 up.  
24  
25  
26  
27  
28

**IT IS FURTHER ORDERED** that the Calendar Call is set for 1/22/20 at 9:00 a.m. to find out if the parties have taken the parenting classes or if custody needs to be changed.

IT IS FURTHER ORDERED that a non-jury trial (stack 1) set for 2/4/20 at 1:30 p.m. stands.

DATED this \_\_\_\_\_ day of OCT 24 2019, 2019

Ch. B. Mc  
DISTRICT COURT JUDGE

Submitted by:

FRANK J TOTI 005804  
6900 Westcliff Drive #500  
Las Vegas Nevada 89145  
Attorney for N. Williams

**exhibit one**

DISTRICT COURT  
CLARK COUNTY, NEVADA  
Family Division

Plaintiff,  -VS-  Defendant.	CASE NO: _____  DEPT. "I" _____
--	---------------------------------------

**DEFAULT HOLIDAY AND VACATION SCHEDULE**

The Court encourages the parties to communicate regarding holiday and vacation time with their children. The following *holiday and vacation plan* is a "default" plan when the parties are unable to agree. This schedule shall remain in effect until (1) the parties agree, in a writing signed by both parties, to an alternate schedule or (2) by subsequent order of the court.

***Precedence:***

The *holiday* schedule shall take precedence over *vacation* periods and *vacation* periods shall take precedence over regular timeshare periods. Where there is an overlap of conflicting holidays, the following priority shall prevail:

**Overlap Precedent**

<u><i>Odd Year</i></u>	<u><i>Even Year</i></u>
DAD	MOM

***Weekend Holidays***

The parents will share weekend holidays based on the following schedule, with residential time to begin upon the release of school for the holiday period and continue until the morning school resumes following the holiday, at the first morning bell, unless otherwise noted. In the event that school is not in session, the following holiday time will begin at 3:00 p.m. on Friday and continue until 9:00 a.m. on the first weekday following the holiday.

	<u><i>Odd Year</i></u>	<u><i>Even Year</i></u>
Martin Luther King Day Weekend	MOM	DAD
President's Day Weekend	DAD	MOM
Mother's Day Weekend	MOM	MOM
Memorial Day Weekend	MOM	DAD

Father's Day Weekend	DAD	DAD
Independence Day <sup>1</sup>	DAD	MOM
Labor Day Weekend	MOM	DAD
Nevada Admission Day Weekend	MOM	DAD
Halloween Day <sup>2</sup>	MOM	DAD
Veterans' Day Weekend	DAD	MOM

#### ***Birthdays***

The parents will share birthdays based on the schedule set forth below. The birthday schedule will begin after school on the birthday (or if school is not in session at 9:00 a.m.) and continue until the morning following the birthday at 9:00 a.m., or when school begins, at the first morning bell, if school is in session, when the regular residential schedule will resume. The designated parent shall be entitled to have all of the parties' children in his/her care during the birthday period.

	<u>Odd Year</u>	<u>Even Year</u>
Mother's Birthday	MOM	MOM
Father's Birthday	DAD	DAD
Children's Birthday	MOM	DAD

#### ***Easter/Spring Break***

The parents will share the Easter/Spring Break based on the following schedule, with the holiday period to begin upon the release of school for the holiday period and continue until school resumes following the Spring Break at the first morning bell.

	<u>Odd Year</u>	<u>Even Year</u>
Easter/Spring Break	DAD	MOM

#### ***Thanksgiving***

The parents will share the Thanksgiving Break based on the following schedule, with the holiday period to begin upon the release of school before Thanksgiving and shall continue until school resumes following the holiday, at the time of the first morning bell.

	<u>Odd Year</u>	<u>Even Year</u>
Thanksgiving Break	MOM	DAD

<sup>1</sup> Independence Day will include the weekend if the holiday occurs on a Friday, Saturday, Sunday or Monday of any given year. In the event the holiday occurs on Tuesday, Wednesday, or Thursday, it will be treated as a one day holiday and shall begin at 9:00 a.m. on July 3<sup>rd</sup> and continue until July 5<sup>th</sup> at 9:00 a.m..

<sup>2</sup> Halloween will be celebrated as a one day holiday, beginning upon the release of school, or 10:00 a.m. if school is not in session, and continuing until the next morning when school resumes or 10:00 a.m. if school is not in session.

**Winter Break**

The winter break holiday period will be divided into two segments based on the school calendar. Specifically, the first segment will begin on the day the school calendar releases for the break and shall continue until December 28<sup>th</sup> at 12:00 p.m. (noon), when the other parent's timeshare shall begin, to continue until school resumes following the Winter Break, at the first morning bell.

	<u>Odd Year</u>	<u>Even Year</u>
First Segment/Christmas	DAD	MOM
Second Segment/New Year's	MOM	DAD

**Religious Holidays**

When parents do not share the same religious beliefs, each parent shall have the right to provide religious instruction of their choosing to the child(ren). When both parents are of the same faith, both parents shall have the opportunity to enjoy the right to celebrate a religious holiday with the child(ren) on an alternating year basis. The following sample religious holiday schedules are intended to provide examples of shared holiday schedules for religious holidays and apply *only if* one or both parents have traditionally celebrated such holidays with the parties' children:

**Jewish Holiday**

The following holidays begin upon the release of school before the holiday period, or if school is not in session at 3:00 p.m., and continue as designated until school resumes the day after the holiday period, or if school is not in session at 9:00 a.m.:

	<u>Odd Year</u>	<u>Even Year</u>
Passover* [1 <sup>st</sup> two nights]	DAD	MOM
Rosh Hashanah [2 day holiday]	MOM	DAD
Yom Kippur [One day holiday]	DAD	MOM
Purim [One day holiday]	MOM	DAD
Sukkot [1 <sup>st</sup> two nights]	DAD	MOM
Hanukkah [1 <sup>st</sup> two nights]	MOM	DAD

**Baha'i Holy Days and Commemorative Days**

The following holidays, when work is to be suspended, begin upon the release of school before the holiday period, or if school is not in session at 3:00 p.m., and continue as designated until school resumes the day after the holiday period, or if school is not in session at 9:00 a.m.:

Naw-Ruz	DAD	MOM
March 21		
Festival of Ridvan	MOM	DAD
April 21		
Declaration of the Bab	DAD	MOM
May 23		
Ascension of Baha'u'llah	MOM	DAD
May 29		

Martyrdom of Bab July 9	DAD	MOM
Birth of the Bab October 20	MOM	DAD
Birth of Baha'u'llah November 12	DAD	MOM

#### ***Summer/Track Vacation***

The following vacation/track schedule Initialed by the Judge shall apply:

\_\_\_\_\_ ***Alternating Week Timeshares/Option 1:*** If the parties share custody on an alternating week schedule (7 days on/7 days off), each party may elect a one-week vacation period each year during the summer/track release for the XCSD school district. The one-week (7-day) period may be attached to the regular timeshare to create one three-week vacation period for each parent.

OR

\_\_\_\_\_ ***Alternating Week Timeshares/Option 2:*** If the parties share custody on an alternating week schedule (7 days on/7 days off), each party may elect two 3-day periods to add to a regular weekly timeshare during the summer months or track break for the XCSD school district, to allow each parent two-10 day vacation periods each year during the summer release months or school track break.

OR

\_\_\_\_\_ ***Traditional Vacation Schedule/Option 3:*** Each parent shall have one fourteen (14) day uninterrupted summer timeshare with the child(ren) per year during the period of summer or track release for the XCSD school district. The fourteen (14) day period may not be added to regular timeshare dates to extend a parent's summer vacation beyond fourteen days (14) days without the written consent of the other party.

The parent with selection priority shall provide notice of his/her summer vacation dates in writing via email by March 1<sup>st</sup> with the other parent providing notice of her/his summer vacation dates in writing via email by March 15<sup>th</sup>. Track vacation dates must be designated at least 30 days before the track break begins. Failure to provide notice of summer/track vacation dates by the deadline provided shall constitute a waiver of priority and the other party shall have the right to provide written notice of his/her summer/track vacation dates, which shall take precedence for that year only. If a party does not provide written notice of his or her vacation dates by May 1<sup>st</sup>, that party shall have waived his right to exercise a vacation period for that year only.

	<u><i>Odd Year</i></u>	<u><i>Even Year</i></u>
Vacation Selection Priority	DAD	MOM
Year-Round School		

In the event the parties' child(ren) attend year round school, the regular timeshare shall continue during all track breaks unless (1) either party has designated a vacation period, as set forth above, or (2) otherwise agreed in a writing signed by both parties.

#### ***In-Service/Professional Development Days***

Undesignated school holidays shall follow the parties' regular timeshare schedule. However, in the event an undesignated school holiday or In-service day is attached to a weekend or other holiday period, the undesignated holiday shall attach to the weekend or other holiday period and the parent assigned the weekend or holiday period shall have the child upon the release of school for the weekend or holiday period (including any undesignated period) until school resumes following the weekend or other holiday period, at the first morning bell.

***Transportation***

The receiving parent shall be responsible for providing transportation unless otherwise ordered by the Court.

*Any additional time shall be by written agreement signed by both parties.*



Electronically Filed  
11/01/2019

*Heather J. Smith*  
CLERK OF THE COURT

MOT

Your Name: Herman Williams

Address: 4018 Adair Ave #204  
Las Vegas NV 89115

Telephone: 702-720-9801

Email Address: hermanwilliams002@gmail.com

In Proper Person

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Nadine Alecia Williams  
Plaintiff,

vs.

Herman George Williams  
Defendant.)

CASE NO.: D19-586291-D  
DEPT: I

DATE OF HEARING: 12-10-19

TIME OF HEARING: 9:00 AM

Oral Argument Requested: ☒ Yes ☐ No

**MOTION AND NOTICE OF MOTION FOR AN ORDER TO ENFORCE AND/OR FOR  
AN ORDER TO SHOW CAUSE REGARDING CONTEMPT**

TO: Name of Opposing Party and Party's Attorney, if any, Nadine Alecia Williams

PLEASE TAKE NOTICE that a hearing on this motion will be held on the date and time  
above before the Eighth Judicial District Court - Family Division located at: (☒ check one)

- ☒ The Family Courts and Services Center, 601 N. Pecos Road Las Vegas, Nevada 89101.  
☐ The Regional Justice Center, 200 Lewis Avenue Las Vegas, Nevada 89101.  
☐ The Child Support Center of Southern Nevada, 1900 E. Flamingo Rd #100, LV NV 89119.

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

Submitted By: Herman G Williams  
(☒ check one) ☐ Plaintiff / ☒ Defendant In Proper Person

### MOTION

(Your name) Herman George Williams, in Proper Person, moves this Court for an order to enforce current court orders and for an order to show cause why the opposing party should not be held in contempt and punished accordingly for violating this court's order. (☒ check one)

- ☒ I tried to resolve this issue with the other party before filing this motion.
- ☐ I did not try to resolve this issue with the other party before filing this motion. Any attempt to resolve the issue would have been useless or impractical because (*explain why you did not try to resolve this issue directly with the other party before filing this motion*)
- 
- 

#### Financial Disclosure Form ("FDF") Certification. (☒ check one)

- ☐ This motion does not have anything to do with money or financial relief.
- ☐ I understand that I must file my FDF within 2 judicial days of filing this motion to support my request for financial relief. Failure to file a timely, complete, and accurate FDF may result in the court ruling against me and/or imposing sanctions.
- ☒ I filed a Financial Disclosure Form in the last 6 months and have no changes to report.

### POINTS AND AUTHORITIES LEGAL ARGUMENT

The refusal to obey a lawful order issued by the court is an act of contempt. NRS 22.010(3). The facts of contempt must be presented to the court through an affidavit. NRS 22.030(2). A person found guilty of contempt may be fined up to \$500 for each act of contempt, may be imprisoned for up to 25 days, or both. A person found guilty of contempt may also be required to pay the reasonable expenses, including attorney's fees, of the person seeking to enforce the order. NRS 22.100.

### FACTS AND ARGUMENT

1. **Violation.** I believe the other party is violating court orders. The Court should find the other party in contempt because the other party: (☒ check all that apply)

Child Support:

- ☐ Does not pay child support at all  
☐ Pays less child support than ordered  
☐ Pays child support late

Alimony:

- ☐ Does not pay alimony at all  
☐ Pays less alimony than ordered  
☐ Pays alimony late

Other:

- ☒ Does not obey the custody / visitation schedule

- ☒ Does not obey the Behavior Order

- ☒ Has not returned property to me

- ☒ Other: Plaintiff cancelled registration on Vehicle. Hindering me from work. It is my work vehicle. loss of income due to cancelled registration.

Details about the contempt(s) alleged above are in the attached Declaration.

2. **Garnishment.** (☒ check appropriate boxes below)

Does the violation have to do with unpaid child support and/or alimony? ☐ Yes ☒ No

If yes, do you want the judge to order the other party to have his/her wages garnished to pay future child support and/or alimony? ☐ Yes ☐ No

3. **Enforcement.** I would like the Court to issue any orders necessary to effectuate compliance with the court order.

4. **Other Relief.** In addition to the relief requested above, I would like the Court to also order the following: (Explain anything else that you would like the judge to order, or enter "N/A" if you do not want anything else. Be specific.)

Not to have her pistol around my children. Herman III came home and stated to me that she has her gun in the glove Box. He opened the glove box and the barrel was facing him. She also had a BB gun around them. I do not want any of these weapons around my children.

I respectfully ask the Court to grant me the relief requested above, including an award of attorney's fees if I am able to retain an attorney for this matter, and any other relief the Court finds appropriate.

DATED 11/1, 2019.

Submitted By: (your signature)

(print your name) Herman G. Williams

**DECLARATION IN SUPPORT OF MOTION FOR AN ORDER TO ENFORCE AND/OR  
FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT**

I have personal knowledge of the facts constituting the contempt(s), which are explained in detail below:

**How to Fill Out The Next Section:**

Get a copy of the court order that is being violated.

The order shows on the upper right corner of the first page the date the order was filed. Write this date in the section that says "date court order was filed." (*ex., 2/1/2018*)

Find the pages where the court order says what the other party is supposed to do. Find the line number or paragraph number where the order specifically says what the other party is supposed to do. Write these numbers on the "page" and "line/paragraph number" line. (*ex., page 3, line 21*)

Finally, write what the order says the party is supposed to do (*ex. Defendant is supposed to pay \$300 per month in child support*), how the party is violating the order (*ex. Defendant has not paid any child support*), and the dates of the violation (*ex. March 2018-present*).

**List each violation separately.**

**You can include violations for 2 separate court orders, and 2 violations for each court order.**  
You can add more pages if needed to describe more violations.

1. **First Court Order Being Violated.** The other party is violating the terms of a Court order that the Court entered on (date court order was filed) Jul. 22, 2019.

a. The Court order says on page 2, line/paragraph number 9-15 that the other party is supposed to: (write what the order says the other party is supposed to do):

Behavior order from July 22, 2019 states that  
plaintiff is not to harass @ the other party's place  
of employment, or to send or drop off evidence as it is  
related to these court proceedings.

The other party is not following this part of the order. The other party is (describe what the other party is doing or not doing that violates the order) Violation of classes

did not send me links that states in the order. Did not  
get an Email from 8/24/19 until 11/1/19.

The violation happened on (date(s) of violation) 8/24/19 - 11/1/19.

## Second Court Order 10/30/19

- b. The Court order says on page 4, line/paragraph number 1-4 that the other party is supposed to: (write what the order says the other party is supposed to do):

Defendant may continue to use the  
2012 Chevrolet Silverado truck.

The other party is not following this part of the order. The other party is (describe what the other party is doing or not doing that violates the order):

Plaintiff cancelled the plates on  
the truck so that Defendant  
can't use it anymore.

The violation happened on (date(s) of violation) 7/24/19

2. **Second Court Order Being Violated.** The other party is violating the terms of a Court order that the Court entered on (date court order was filed) 10/30/19. According to the Court order, the other party is supposed to do the following:

- a. The Court order says on page 4, line/paragraph number 15-27 that the other party is supposed to: (write what the order says the other party is supposed to do):

Plaintiff is to send pictures of items  
in the garage so that defendant  
may pick them up.

The other party is not following this part of the order. The other party is (describe what the other party is doing or not doing that violates the order):

the Plaintiff  
hasn't sent the pictures for Defendant  
to pick-up the items in the garage

The violation happened on (date(s) of violation) 8/22/19



- b. The Court order says on page 2, line/paragraph number 16-27 that the other party is supposed to: (write what the order says the other party is supposed to do):

there shall be no corporal punishment in  
either household. If Plaintiff has to discipline  
the child, Defendant shall find out what  
happened and support Plaintiff.

The other party is not following this part of the order. The other party is (describe what the other party is doing or not doing that violates the order) \_\_\_\_\_

disobeying father when he put  
daughter on punishment. She isn't supporting  
Defendant.

The violation happened on (date(s) of violation) 10/24/12 11/1/2019.

3. **Notice.** (☒ check one)

☐ The other party was served with a copy of the first court order on (date the party was served with the order) Aug 22, 2019. and was served with a copy of the second court order on (date the party was served with the order) \_\_\_\_\_.

☒ The other party knows about the court order(s) because (explain how the other party is aware of the court order) Plaintiff was present with  
council.

4. **Harm.** I am being harmed or will be harmed by the other party's violation in the following ways: (explain how the other party's violation is affecting you).

I can't use my truck so I  
can't go to work. It is ruining my  
livelihood.

5. **Money Due / Arrears.** *If the other party is not paying child support or alimony, you have to fill out a form called a "Schedule of Arrears." The Schedule of Arrears lists every missed or partial payment with a grand total of what is now due (including any applicable interest or penalties).*

(☒ check all that apply)

☒ The other party's violation does not have to do with unpaid money.

☐ The other party owes me for unpaid child support. The other party has not paid a total of \$\_\_\_\_\_ in child support. This amount should be reduced to judgment.

☐ The other party owes me for unpaid spousal support. The other party has not paid a total of \$\_\_\_\_\_ in spousal support. This amount should be reduced to judgment.

☐ The other party has not paid me other amounts owed (*Explain how much money the other party owes you and why*): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

This amount should be reduced to judgment.

6. **Need for Contempt Ruling.** The judge should find (*write the name of other party who is violating court orders*) Nadine Alecia Williams in contempt because (*explain why the judge should hold the person in contempt*) She is in violation of court orders I.E. Behavior order.

7. Any Exhibit(s) in support of this Motion will be filed separately in an Exhibit Appendix.

**I have personal knowledge of the facts constituting the contempt(s) explained above. I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.**

DATED 11/1, 2019.

Submitted By: (*your signature*)

(*print your name*)

Herman G. Williams

MOFI

DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA

Nadine Alecia Williams  
Plaintiff/Petitioner

Herman George Williams  
Defendant/Respondent

Case No. D-19-386291-D  
Dept. I.

**MOTION/OPPOSITION  
FEE INFORMATION SHEET**

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

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

<input type="checkbox"/> <b>\$25</b>	The Motion/Opposition being filed with this form is subject to the \$25 reopen fee.
-OR-	
<input checked="" type="checkbox"/> <b>\$0</b>	The Motion/Opposition being filed with this form is not subject to the \$25 reopen fee because:
<input checked="" type="checkbox"/>	The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.
<input type="checkbox"/>	The Motion/Opposition is being filed solely to adjust the amount of child support established in a final order.
<input type="checkbox"/>	The Motion/Opposition is for reconsideration or for a new trial, and is being filed within 10 days after a final judgment or decree was entered. The final order was entered on _____.
<input type="checkbox"/>	Other Excluded Motion (must specify) _____.

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

<input checked="" type="checkbox"/> <b>\$0</b>	The Motion/Opposition being filed with this form is not subject to the \$129 or the \$57 fee because:
<input type="checkbox"/>	The Motion/Opposition is being filed in a case that was not initiated by joint petition.
<input type="checkbox"/>	The party filing the Motion/Opposition previously paid a fee of \$129 or \$57.
-OR-	
<input type="checkbox"/> <b>\$129</b>	The Motion being filed with this form is subject to the \$129 fee because it is a motion to modify, adjust or enforce a final order.
-OR-	
<input type="checkbox"/> <b>\$57</b>	The Motion/Opposition being filing with this form is subject to the \$57 fee because it is an opposition to a motion to modify, adjust or enforce a final order, or it is a motion and the opposing party has already paid a fee of \$129.

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

The total filing fee for the motion/opposition I am filing with this form is:	
<input checked="" type="checkbox"/> <b>\$0</b>	<input type="checkbox"/> <b>\$25</b> <input type="checkbox"/> <b>\$57</b> <input type="checkbox"/> <b>\$82</b> <input type="checkbox"/> <b>\$129</b> <input type="checkbox"/> <b>\$154</b>

Party filing Motion/Opposition: Herman B. Williams Date 11/1/19.

Signature of Party or Preparer 



Electronically Filed  
11/01/2019

*Herman G. Williams*  
CLERK OF THE COURT

EXMT

Your Name: Herman Williams.

Address: 1018 Padabella Ave #204

Las Vegas NV. 89115.

Telephone: 702-720-9501

Email Address: hermanwilliams002@gmail.com

Self-Represented

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Nadine Alecia Williams.  
Plaintiff,

vs.

Herman George Williams.  
Defendant.

CASE NO.: D-19-586291-D

DEPT: I

**EX PARTE MOTION FOR AN ORDER SHORTENING TIME**

☐ Plaintiff / ☒ Defendant, (your name) Herman George Williams

in proper person, hereby files an Ex Parte Motion for an Order Shortening Time pursuant to EDCR 5.513, and requests that this Court shorten the time in which to hear the (title of the upcoming hearing) Motion for Order to Show Cause.

This application is based upon the pleadings and papers on file and the declaration of Movant attached to this motion.

DATED 11/1, 20 19.

Submitted By: (your signature)

(print your name)

*Herman G. Williams*  
Herman G. Williams

**DECLARATION IN SUPPORT OF EX PARTE MOTION FOR AN ORDER  
SHORTENING TIME**

I declare, under penalty of perjury:

1. I am the Movant in this case. I have personal knowledge of the facts contained herein and am competent to testify to these facts.
2. There is a hearing scheduled for (current court date) 12.16.19 at (time of hearing) 9:00 AM.
3. (☒ check one)

- ☒ The other party was already served with a copy of the underlying motion on which the hearing is based. The motion was served (☒ check one) ☒ by mail / ☐ by personal service on (date of service) 11/11/19.
- ☐ The other party HAS NOT been served with a copy of the motion yet. I **understand emergency hearings are not normally granted until the other party is served with the motion.** The judge should consider my request without waiting for the other party to be served because (explain why you need the judge to consider your request before the other party is served)

4. There is an emergency that cannot wait until the regular court date to be heard. The emergency is: (explain why you need the judge to hear your case quickly)

Please see attached

5. This Ex Parte Motion for an Order Shortening Time is made in good faith.
6. I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

DATED 11/11, 2019.

Submitted By: (your signature)

(print your name)

Herman B. Williams

Electronically Filed  
11/01/2019

*Herman S. Lewis*  
CLERK OF THE COURT

EPAP  
Name: Herman Williams.  
Address: 4018 Adabella Ave #204  
LAS Vegas NV 89115  
Telephone: 702-720-9501  
Email Address: hermanwilliams002@gmail.com  
In Proper Person

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Nadine Alecia Williams.  
Plaintiff,

vs.

Herman George Williams.  
Defendant.

CASE NO.: D-19-586291-D  
DEPT: I.

**EX PARTE APPLICATION FOR AN ORDER TO SHOW CAUSE**

(Your name) Herman George Williams., in Proper Person, submits this ex parte application for issuance of an Order to Show Cause directed to the opposing party pursuant to EDCR 5.509(b). This application is based on the pleadings and papers on file and the declaration attached to this application.

DATED 11/1, 20 19

Submitted By: (your signature)

(print your name)

*Herman G. Williams*  
Herman G. Williams

**DECLARATION IN SUPPORT OF EX PARTE APPLICATION FOR AN ORDER TO  
SHOW CAUSE**

I declare, under penalty of perjury:

1. I am the moving party in this action. I have personal knowledge of the facts contained in the Motion and in this Declaration and I am competent to testify to the same.
2. I filed a Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt on *(date you filed the motion)* 10/30/19, 10/31/19, 11/1/19. The memorandum of points and authorities, legal arguments, and declaration contained in the Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt are incorporated here as if set forth in full.

3. I am requesting the Court issue an Ex Parte Order to Show Cause because: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

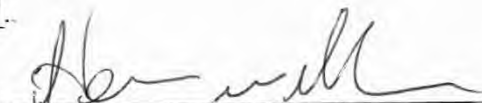
4. This Ex Parte Application for an Order to Show Cause is made in good faith.

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

DATED 11/11, 20 19.

Submitted By: *(your signature)*

*(print your name)*

  
Herman G. Williams

Electronically Filed  
11/01/2019

*Herman S. Williams*  
CLERK OF THE COURT

PSER  
Name: Herman Williams  
Address: 4018 Adabella Ave #204.  
LAS Vegas NV 89115.  
Telephone: 702 720 9501  
Email Address: hermanwilliams002@gmail.com  
Self-Represented

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Nadine Alecia Williams.  
Plaintiff,

vs.

Herman George Williams  
Defendant.

CASE NO.: D-19-586291-1  
DEPT: I

**PROOF OF SERVICE (Motion for Contempt / Order to Show Cause)**

I, (name of person who served the documents) Herman G. Williams, declare  
that I served (name of person who was served) Nadine Alecia Williams / Frank Toti  
with a copy of the (☒ check all that apply)

- ☒ Motion to Enforce and/or for an Order to Show Cause Regarding Contempt  
☐ Schedule of Arrearages  
☒ Order to Show Cause  
Other: \_\_\_\_\_

in the following manner: (☒ check one)

☒ **Mail:**

I deposited a copy of the documents in the U.S. Mail in the State of Nevada,  
postage prepaid, by (☒ check one) ☒ regular mail or ☐ certified mail on the (day  
you mailed the documents) 1 day of (month) NOV., 20    
addressed to:

(Print the name and address of the person you mailed the documents to)

Frank Toti Esq.  
6900 Westcliff Drive  
LAS Vegas NV 89145.

OR

☐ **Personal Service:**

I am not a party to nor interested in the outcome of this action, I am over 18 years of age, and I (☒ *check one*) ☐ am / ☐ am not a licensed process server or an employee of a licensed process server. I served the documents named above by delivering and leaving the documents with (name of person served) \_\_\_\_\_ at (street address) \_\_\_\_\_ (city) \_\_\_\_\_, (state) \_\_\_\_\_, (zip code) \_\_\_\_\_. The documents were served on the (day you served the documents) \_\_\_\_\_ day of (month) \_\_\_\_\_, 20\_\_\_\_ at the hour of (time) \_\_\_\_:\_\_\_\_ ☐ am ☐ pm. If the person who was served is not the party, the person served is a person of suitable age and discretion that resides with the party.

(☒ *check if applicable*)

- ☐ I am not a licensed process server; I am a natural person serving legal process without compensation, not more than three times per year, on behalf of a litigant who is a natural person, and therefore I am not required to be licensed pursuant to NRS 648.063(2) (2017 Nevada Laws Ch. 126 (A.B. 128)).

**I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAW OF THE STATE OF NEVADA THAT THE FOREGOING IS TRUE AND CORRECT.**

DATED (month) Nov (day) 01, 2019.

Server's Signature: ▶

Server's Printed Name:

Residential / Business Address:

City, State, Zip:

Server's Phone Number:

Server's License/Registration Number:

(if applicable)

*Steven D. Grierson*

1 **CSERV**  
2 **FRANK J. TOTI, ESQ.**  
3 Nevada Bar No. 005804  
4 6900 Westcliff Drive #500  
5 Las Vegas Nevada 89145  
6 p 702.364.1604 f 702.364.1603  
7 frank@fjtesq.com  
8 Attorney for Plaintiff

9  
10 **DISTRICT COURT FAMILY DIVISION**  
11 **CLARK COUNTY, NEVADA**

12 **NADINE WILLIAMS,**  
13 **Plaintiff,**

14 } Case No. D-19-584439-C  
15 } Dept No. S

16 v

17 **HERMAN GEORGE WILLIAMS,**  
18 **Defendant.**

19 **CERTIFICATE OF SERVICE**

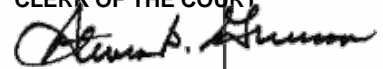
20 I hereby certify that on the 24th day of November, 2019 served the  
21 foregoing **PLAINTIFF'S REQUEST FOR PRODUCTION OF**  
22 **DOCUMENTS TO DEFENDANT and PLAINTIFF'S**  
23 **INTERROGATORIES TO DEFENDANT'S** upon:

24 Herman George Williams  
25 4018 Adabella Ave. Apt. 204  
26 Las Vegas, Nevada 89115  
27 *Defendant in Proper Person*

- 28 ☒ by mailing in a sealed, certified first-class postage-prepaid envelope, addressed to the above listed office address of the attorney or party, and deposited with the United States Postal Service from Las Vegas, Nevada.

29 *mac*  
30 An employee of THE LAW OFFICES OF FRANK J TOTI ESQUIRE





OPPS  
FRANK J TOTI 005804  
6900 Westcliff Drive #500  
Las Vegas Nevada 89145  
p 702.364.1604 f 702.364.1603  
Attorney for N. Williams

DISTRICT COURT  
CLARK COUNTY NEVADA

NADINE WILLIAMS  
Plaintiff,

v

HERMAN GEORGE WILLIAMS  
Defendant

Case D 19 586291 D  
Dept I

Family Court

**Date and Time of Hearing:**  
**December 16, 2019 @ 9.00 am**

**PLAINTIFF'S OPPOSITION TO PLAINTIFF'S**  
**MOTION AND COUNTERMOTION**

Comes now, Plaintiff, Nadine Williams, by and through her attorney of record, Frank J Toti Esquire, and hereby submits this Opposition and Countermotion to Plaintiff's Motions previously filed with the Court on October 31, 2019 and November 1, 2019.

This Opposition and Countermotion is made and based upon these Points and Authorities, the affidavits and exhibits attached hereto, the



1 pleadings and papers on file herein and such oral argument as may be  
2 allowed at the time of the hearing.

3  
4 DATED this 4 day of December, 2019

5  
6  
7   
8 FRANK J TOTTI 005804  
9 6900 Westcliff Drive #500  
10 Las Vegas Nevada 89145  
11 Attorney for N. Williams

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**POINTS AND AUTHORITIES**

**Statement of Facts**

The parties to this action are married and this matter is currently set for trial on February 4, 2020. The parties have four minor children the product of their marriage, to wit: Abigail Williams, born October 27, 2004; Herman Williams IV, born August 24, 2008; Matthew Williams, born May 13, 2010 and Elisha Williams, born April 26, 2013. The most recent order of the Court is that the minor children are to be primarily in Herman's care and Nadine is to have visitation with the minor children every Saturday commencing at 10.00 am and concluding at 6.00 pm. The Court also put into effect its standard holiday visitation schedule in this matter.

## Legal Argument

### a. Nadine is not in contempt of Court.

Herman sets forth several incidents for which Nadine should be held in contempt of court. However, none of Herman's contentions have merit.

Herman first argues that Nadine should be held in contempt of court for withholding Abigail from him. However, Nadine was simply exercising her Nevada Day visitation for 2019. It is actually Herman that is in contempt for not allowing all of the minor children to be in Nadine's care during her Nevada Day visitation for 2019. Thereafter, Abigail informed Nadine that Herman was being threatening emotionally abusive to her and as a result she refused to return to Herman's care. As a result, Herman contacted Child Protective Services and the caseworker assigned to this matter instructed Nadine not to return Abigail to Herman's care until further instruction from Child Protective Services. It is Nadine's understanding that the caseworker has informed Herman of the same. As a result, Nadine cannot be held in contempt for not returning Abigail to Herman's care.

1 Herman next argues that Nadine is in contempt of court for not  
2 registering the vehicle that is in currently in his possession but is  
3 registered in Nadine's name. However, Herman conveniently forgets to  
4 inform this Court that Nadine was not required by the Court to register  
5 the vehicle on Herman's behalf. Herman contacted this office  
6 regarding the registration of the vehicle and this office instructed  
7 Herman to provide this office any and all paperwork regarding the  
8 registration of the vehicle and this office would review the paperwork  
9 with Nadine. However, to date, Herman has never provided this office  
10 any such paperwork. Since there is no Court order requiring Nadine to  
11 register the vehicle in Herman's possession, Nadine cannot be held in  
12 contempt for not registering said vehicle.  
13  
14  
15  
16  
17

18 Herman next argues that Nadine is in contempt of Court for not  
19 sending him links to the parenting classes he was supposed to attend.  
20 However, the Court's order is clear that the Court's staff would send  
21 said links to Herman – not Nadine. Further, the Court's staff did email  
22 the links to both this office and to Herman on August 26, 2019 (see  
23 exhibit one). As a result, Nadine cannot be held in contempt for not  
24 providing Herman the links.  
25  
26  
27  
28

1 Herman next argues that Nadine is in contempt of Court for not  
2 sending him pictures of the contents of the garage. However, when the  
3 parties were last before the Court, the Court ordered Herman to  
4 immediately sign up for the parenting app in effort for the parties to be  
5 able to communicate. The Court had previously instructed the parties  
6 to sign up for said parenting app and though Nadine had done as  
7 instructed by the Court, Herman had not. Still to this day, Herman  
8 has not signed up for said parenting app, and as a result, Nadine  
9 cannot send any pictures to Herman via the parenting app because  
10 Herman is not signed up for the parenting app. As a result, Nadine  
11 cannot be held in contempt for not sending Herman pictures of the  
12 garage.  
13

14 Herman's final argument that Nadine should be held in contempt  
15 of Court is based upon Herman's assertion that Nadine is not  
16 supporting his parenting decisions. However, Nadine is at a loss as to  
17 what parenting decision Herman is referring to, and there is no order  
18 from this Court that states Nadine is to support Herman's parenting  
19 decisions (though there is an order of this Court stating that Herman is  
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1 to support Nadine's parenting decisions. As a result, Nadine cannot be  
2 held in contempt for not supporting Herman's parenting decisions.

3  
4 As a result of the above, Nadine should not be held in contempt of  
5 any orders of this Court and this Court should deny Herman's motion in  
6 its entirety.  
7

8 **b. The minor children should be placed primarily in Nadine's**  
9 **care.**

10 The trial Court has broad discretion to determine custody of the  
11 minor children. *Sims v. Sims*, 109 Nv 1149, 1148, 865 P2d 328, 330  
12 (1993); *Culbertson v. Culbertson*, 91 Nv 230, 233, 533 P2d 768, 770  
13 (1975). Further, the Nevada Supreme Court has held that "in custody  
14 matters, the polestar for judicial decisions is the best interest of the  
15 children" *Schwartz v. Schwartz*, 107 Nv 378, 382, 812 P2d 1268, 1270-  
16 71 (1991).  
17  
18  
19

20 *NRS 125C.0035* states:  
21

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

26 *2. Preference must not be given to either parent for the sole reason that*  
27 *the parent is the mother or the father of the child.*  
28

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

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

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

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

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

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

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

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

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

18 (d) The level of conflict between the parents.

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

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

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

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

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

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

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

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

27 5. Except as otherwise provided in subsection 6 or NRS 125C.210, a  
28 determination by the court after an evidentiary hearing and finding by

1 clear and convincing evidence that either parent or any other person  
2 seeking physical custody has engaged in one or more acts of domestic  
3 violence against the child, a parent of the child or any other person  
4 residing with the child creates a rebuttable presumption that sole or  
5 joint physical custody of the child by the perpetrator of the domestic  
6 violence is not in the best interest of the child. Upon making such a  
7 determination, the court shall set forth:

8 (a) Findings of fact that support the determination that one or more acts  
9 of domestic violence occurred; and

10 (b) Findings that the custody or visitation arrangement ordered by the  
11 court adequately protects the child and the parent or other victim of  
12 domestic violence who resided with the child.

13 6. If after an evidentiary hearing held pursuant to subsection 5 the court  
14 determines that each party has engaged in acts of domestic violence, it  
15 shall, if possible, then determine which person was the primary physical  
16 aggressor. In determining which party was the primary physical  
17 aggressor for the purposes of this section, the court shall consider:

18 (a) All prior acts of domestic violence involving either party;

19 (b) The relative severity of the injuries, if any, inflicted upon the persons  
20 involved in those prior acts of domestic violence;

21 (c) The likelihood of future injury;

22 (d) Whether, during the prior acts, one of the parties acted in self-  
23 defense; and

24 (e) Any other factors which the court deems relevant to the  
25 determination.

26 In such a case, if it is not possible for the court to determine which party  
27 is the primary physical aggressor, the presumption created pursuant to  
28 subsection 5 applies to both parties. If it is possible for the court to  
determine which party is the primary physical aggressor, the  
presumption created pursuant to subsection 5 applies only to the party  
determined by the court to be the primary physical aggressor.

7. A determination by the court after an evidentiary hearing and finding  
by clear and convincing evidence that either parent or any other person  
seeking physical custody has committed any act of abduction against the  
child or any other child creates a rebuttable presumption that sole or  
joint physical custody or unsupervised visitation of the child by the  
perpetrator of the abduction is not in the best interest of the child. If the  
parent or other person seeking physical custody does not rebut the

1 *presumption, the court shall not enter an order for sole or joint physical*  
2 *custody or unsupervised visitation of the child by the perpetrator and the*  
3 *court shall set forth:*

4 *(a) Findings of fact that support the determination that one or more acts*  
5 *of abduction occurred; and*

6 *(b) Findings that the custody or visitation arrangement ordered by the*  
7 *court adequately protects the child and the parent or other person from*  
8 *whom the child was abducted.*

9 *8. For the purposes of subsection 7, any of the following acts constitute*  
10 *conclusive evidence that an act of abduction occurred:*

11 *(a) A conviction of the defendant of any violation of NRS 200.310 to*  
12 *200.340, inclusive, or 200.359 or a law of any other jurisdiction that*  
13 *prohibits the same or similar conduct;*

14 *(b) A plea of guilty or nolo contendere by the defendant to any violation*  
15 *of NRS 200.310 to 200.340, inclusive, or 200.359 or a law of any other*  
16 *jurisdiction that prohibits the same or similar conduct; or*

17 *(c) An admission by the defendant to the court of the facts contained in*  
18 *the charging document alleging a violation of NRS 200.310 to 200.340,*  
19 *inclusive, or 200.359 or a law of any other jurisdiction that prohibits the*  
20 *same or similar conduct.*

21 *9. If, after a court enters a final order concerning physical custody of the*  
22 *child, a magistrate determines there is probable cause to believe that an*  
23 *act of abduction has been committed against the child or any other child*  
24 *and that a person who has been awarded sole or joint physical custody*  
25 *or unsupervised visitation of the child has committed the act, the court*  
26 *shall, upon a motion to modify the order concerning physical custody,*  
27 *reconsider the previous order concerning physical custody pursuant to*  
28 *subsections 7 and 8.*

*10. As used in this section:*

*(a) "Abduction" means the commission of an act described in NRS*  
*200.310 to 200.340, inclusive, or 200.359 or a law of any other*  
*jurisdiction that prohibits the same or similar conduct.*

*(b) "Domestic violence" means the commission of any act described in*  
*NRS 33.018.*



1 The minor children were placed primarily in Herman's care  
2 chiefly based upon a child interview wherein the minor children  
3 stated they did not want to be in Nadine's care. It has now been  
4 revealed that Herman misled the children as to the circumstances  
5 surrounding the parties' separation and that is why the minor  
6 children spoke out against Nadine. As set forth above, currently  
7 Abigail is solely in Nadine's care and Child Protective Services has  
8 instructed Nadine not to return Abigail to Herman's care. The  
9 other minor children have uttered recounting of events to Nadine  
10 that are similar to Abigail's comments to Nadine and the other  
11 minor children have also expressed a desire to be primarily in  
12 Nadine's care.

13 Nadine is also concerned about the minor children's well-  
14 being when they are in Herman's care as he has failed to provide  
15 the minor children basic necessities. Recently the minor children  
16 have been wearing summer clothing despite the fact that it has  
17 been unseasonably cold in Las Vegas. As a result, the minor  
18 children have been ill.

1 As a result, Nadine hereby requests that the minor children  
2 be referred for another child interview so that their thoughts and  
3 desires can be heard by the Court. Further, Nadine requests that  
4 the minor children be placed in her care pending the February 4,  
5 2020 trial regarding this matter.  
6

7  
8 **c. Herman is in contempt of Court.**

9  
10 *NRS 22.010 states in pertinent part:*

11 *The following acts or omissions shall be deemed contempts:*

12  
13 *3. Disobedience or resistance to any lawful writ, order, rule or process*  
14 *issued by the court or judge at chambers.*

15  
16 *NRS 22.030 states in pertinent part:*

17  
18 *2. if a contempt is not committed in the immediate view and presence of*  
19 *the court or judge at chambers, an affidavit must be presented to the*  
20 *court or judge of the facts constituting the contempt, or a statement of the*  
21 *facts by the masters or arbitrators.*

22 *NRS 22.100 states:*

23 *Upon the answer and evidence taken, the court or judge or jury, as the*  
24 *case may be, shall determine whether the person proceeded against is*  
25 *guilty of the contempt charged; and if it be found that he is guilty of the*  
26 *contempt, a fine may be imposed on him not exceeding \$500, or he may*  
27 *be imprisoned not exceeding 25 days, or both, but no imprisonment shall*  
28 *exceed 25 days except as provided in 22.110.*

1 Herman disobeyed the Court's orders regarding Nadine's  
2 visitation with the minor children as and for Nadine's Nevada Day  
3 visitation. Herman did not make contact with Ms. Gosnell's office until  
4 November 2019. Herman did not complete the parenting classes as  
5 ordered by the Court. Herman has not yet signed up for the parenting  
6 app.  
7

8  
9 Herman is also in contempt of Court in that he refused to bring  
10 the minor children to Nadine as and for Nadine's visitation on  
11 November 16, 2019.  
12

13  
14 Herman comes before this Court asking that Nadine be held in  
15 contempt, despite the fact that, as set forth above, Nadine is not in  
16 contempt of any order of this Court. Herman, however, continues to  
17 disobey the orders of this Court. Herman should be the party held in  
18 contempt.  
19

20  
21 **d. Herman should be ordered to pay Nadine child support.**  
22

23 *NRS 125B.080* states follows:

24 *Except as otherwise provided in NRS 425.450:*

25 *1. A court of this state shall apply the appropriate formula set forth*  
26 *in NRS 125B.070 to:*

27 *(a) Determine the required support in any case involving the*  
28 *support of children.*

1 (b) Any request filed after July 1, 1987, to change the amount of the  
2 required support of children.

3 2. If the parties agree as to the amount of support required, the  
4 parties shall certify that the amount of support is consistent with  
5 the appropriate formula set forth in NRS 125B.070. If the amount  
6 of support deviates from the formula, the parties must stipulate  
7 sufficient facts in accordance with subsection 9 which justify the  
8 deviation to the court, and the court shall make a written finding  
9 thereon. Any inaccuracy or falsification of financial information  
10 which results in an inappropriate award of support is grounds for a  
11 motion to modify or adjust the award.

12 3. If the parties disagree as to the amount of the gross monthly  
13 income of either party, the court shall determine the amount and  
14 may direct either party to furnish financial information or other  
15 records, including income tax returns for the preceding 3 years.  
16 Once a court has established an obligation for support by reference  
17 to a formula set forth in NRS 125B.070, any subsequent  
18 modification or adjustment of that support, except for any  
19 modification or adjustment made pursuant to subsection 3 of NRS  
20 125B.070 or NRS 425.450 or as a result of a review conducted  
21 pursuant to subsection 1 of NRS 125B.145, must be based upon  
22 changed circumstances.

23 4. Notwithstanding the formulas set forth in NRS 125B.070, the  
24 minimum amount of support that may be awarded by a court in any  
25 case is \$100 per month per child, unless the court makes a written  
26 finding that the obligor is unable to pay the minimum amount.  
27 Willful underemployment or unemployment is not a sufficient cause  
28 to deviate from the awarding of at least the minimum amount.

5. It is presumed that the basic needs of a child are met by the  
formulas set forth in NRS 125B.070. This presumption may be  
rebutted by evidence proving that the needs of a particular child are  
not met by the applicable formula.

6. If the amount of the awarded support for a child is greater or less  
than the amount which would be established under the applicable  
formula, the court shall:

(a) Set forth findings of fact as to the basis for the deviation from  
the formula; and

1 (b) Provide in the findings of fact the amount of support that would  
2 have been established under the applicable formula.

3 7. Expenses for health care which are not reimbursed, including  
4 expenses for medical, surgical, dental, orthodontic and optical  
5 expenses, must be borne equally by both parents in the absence of  
6 extraordinary circumstances.

7 8. If a parent who has an obligation for support is willfully  
8 underemployed or unemployed to avoid an obligation for support of  
9 a child, that obligation must be based upon the parent's true  
10 potential earning capacity.

11 9. The court shall consider the following factors when adjusting the  
12 amount of support of a child upon specific findings of fact:

13 (a) The cost of health insurance;

14 (b) The cost of child care;

15 (c) Any special educational needs of the child;

16 (d) The age of the child;

17 (e) The legal responsibility of the parents for the support of others;

18 (f) The value of services contributed by either parent;

19 (g) Any public assistance paid to support the child;

20 (h) Any expenses reasonably related to the mother's pregnancy and  
21 confinement;

22 (i) The cost of transportation of the child to and from visitation if  
23 the custodial parent moved with the child from the jurisdiction of  
24 the court which ordered the support and the noncustodial parent  
25 remained;

26 (j) The amount of time the child spends with each parent;

27 (k) Any other necessary expenses for the benefit of the child; and

28 (l) The relative income of both parents

22 NRS 125B.070 states as follows:

23 1. As used in this section and NRS 125B.080, unless the context  
24 otherwise requires:

25 (a) "Gross monthly income" means the total amount of income  
26 received each month from any source of a person who is not self-  
27 employed or the gross income from any source of a self-employed  
28 person, after deduction of all legitimate business expenses, but  
without deduction for personal income taxes, contributions for

1 retirement benefits, contributions to a pension or for any other  
2 personal expenses.

3 (b) "Obligation for support" means the sum certain dollar amount  
4 determined according to the following schedule:

5 (1) For one child, 18 percent;

6 (2) For two children, 25 percent;

7 (3) For three children, 29 percent;

8 (4) For four children, 31 percent; and

9 (5) For each additional child, an additional 2 percent,

10 of a parent's gross monthly income, but not more than the  
11 presumptive maximum amount per month per child set forth for the  
12 parent in subsection 2 for an obligation for support determined  
13 pursuant to subparagraphs (1) to (4), inclusive, unless the court sets  
14 forth findings of fact as to the basis for a different amount pursuant  
15 to subsection 6 of NRS 125B.080.

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

Income range		amount
\$0	- \$4'235	\$728
\$4'235	- \$6'351	\$800
\$6'351	- \$8'467	\$876
\$8'467	- \$10'585	\$946
\$10'585	- \$12'701	\$1'019
\$12'701	- \$14'816	\$1'091
\$14'816	- no limit	\$1'165

21 If a parent's gross monthly income is equal to or greater than  
22 \$14,583, the presumptive maximum amount the parent may be  
23 required to pay pursuant to paragraph (b) of subsection 1 is \$800.

24 3. The amounts set forth in subsection 2 for each income range and  
25 the corresponding amount of the obligation for support must be  
26 adjusted on July 1 of each year for the fiscal year beginning that  
27 day and ending June 30 in a rounded dollar amount corresponding  
28 to the percentage of increase or decrease in the Consumer Price  
Index (All Items) published by the United States Department of  
Labor for the preceding calendar year. On April 1 of each year, the

1 office of court administrator shall determine the amount of the  
2 increase or decrease required by this subsection, establish the  
3 adjusted amounts to take effect on July 1 of that year and notify  
each district court of the adjusted amounts.

4 4. As used in this section, "office of court administrator" means the  
5 office of court administrator created pursuant to NRS 1.320.

6  
7 As set forth above, it is clearly in the minor children's best  
8 interests that they be placed primarily in Nadine's care. As such,  
9 Nadine requests that the Court order Herman to tender to Nadine a  
10 monthly amount equal to thirty-one percent of his gross monthly  
11 income, each month, as and for child support.  
12  
13

14  
15 **e. The vehicle in Herman's possession should be returned to**  
16 **Nadine.**

17 Herman misled the Court into believing that the vehicle in his  
18 possession is essential for his work. The same is simply untrue as  
19 Herman has another vehicle in his possession that has the ability to tow  
20 other vehicles. It is unfair to ask for Nadine to pay for the vehicle and  
21 to grant Herman exclusive possession of the vehicle when Nadine the  
22 same puts Nadine in a financial hardship and Herman has another  
23 vehicle in his possession that he can utilize for work purposes. As a  
24 result, Nadine asks that she immediately be awarded said vehicle.  
25  
26  
27  
28

1 **f. Nadine is entitled to attorney's fees.**

2 *NRS. 18.010*, states as follows:

3  
4 *1. The compensation of an attorney and counselor for his services is*  
5 *governed by agreement, express or implied, which is not restrained by*  
6 *law.*

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

10 *a. When he has not recovered more than \$20,000.00; or*

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

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

18 *4. No oral application or written motion for attorney's fees alters the*  
19 *effect of a final judgment rendered in the action or the time permitted for*  
20 *an appeal there from.*

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

24 An award of attorney's fees where is warranted when the  
25 nonmoving party's opposition is without reasonable ground, or to harass  
26 the moving party. An award of attorney's fees is within the sound  
27 discretion of the court. *County of Clark v. Richard Blanchard*  
28 *Construction Company, 98 Nev. 48, 653 P.2d 1217 (1982).* In this  
matter Nadine has been forced to bring this matter before the Court not  
only due to Herman filing a frivolous motion, but also due to Herman's



1 inability to follow the orders of this Court. As a result, Nadine should  
2 be awarded attorney's fees and requests the sum of \$3'000.00.

3  
4 Pursuant to *Brunzell v. Golden Gate Nat'l Bank*, 85 Nev 345 (1969),  
5 the court should take into consideration the following factors when  
6 determining an award of attorney's fees. (1) The qualities of the  
7 advocate: Mr. Toti has been practicing law for more than twenty years  
8 and is a Nevada Board Certified Family Law Specialist.  
9  
10 Approximately 98% of Mr. Toti's practice is dedicated to family law. (2)  
11 The character and difficulty of the work performed: The intricacy,  
12 importance, time and skill required to prepare for and argue this  
13 Motion is moderate. (3) The work actually performed by the attorney:  
14 Approximately seven hours were spent obtaining the facts, background,  
15 research and preparation of this motion and it is unknown how much  
16 further work will be necessary to bring this matter to conclusion. This  
17 does not account for any time spent in court. (4) The result obtained: is  
18 yet to be determined.  
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### Conclusion

Based on the above argument, Nadine asks for this Honorable Court to grant the following relief:

1. That Herman's motion be denied in its entirety.
2. That the Court place the minor children primarily in Nadine's care.
3. That the Court order that the minor children be interviewed.
4. That Herman be held in contempt by the Court.
5. That Herman be ordered to pay Nadine child support.
6. That Herman return the vehicle to Nadine.
7. That Nadine be awarded attorney's fees.
8. For such other and further relief as the Court deem appropriate.

Dated this 4 day of December, 2019



FRANK J TOTI 005804  
6900 Westcliff Drive #500  
Las Vegas Nevada 89145  
Attorney for N. Williams

1                                    **AFFIDAVIT OF NADINE WILLIAMS**

2

3       STATE OF NEVADA            )

4                                    )       ss.

5       COUNTY OF NEVADA        )

6

7            Nadine Williams, being first duly sworn, upon her oath, deposes

8       and says that:

9

- 10           1. I am the Plaintiff in the above entitled action.
- 11           2. I have read the foregoing Opposition and Countermotion, know
- 12           the contents thereof, and the same are true of my own
- 13           knowledge, except as to matters therein stated upon
- 14           information and belief and as to those matters, I believe them
- 15           to be true. I specifically incorporate those statements, as if they
- 16           were set forth in full herein.
- 17

18

19                                    

20                                    Nadine Williams

21

22

23       SUBSCRIBED and SWORN to before

24       me this 5th day of December, 2019

25

26                                    

27



28       NOTARY PUBLIC in and for said County and State

exhibit one

## Frank Toti, Esq

---

**From:** Zavala, Azucena <ZavalaA@clarkcountycourts.us>  
**Sent:** Monday, August 26, 2019 10:02 AM  
**To:** Frank Toti, Esq; 'hermanwilliams002@gmail.com'  
**Cc:** Wang, Anthony  
**Subject:** Nadine Williams vs. Herman Williams D586291

Good Morning Mr. Toti and Mr. Williams,

Pursuant to the Hearing that took place this morning here is the link for the parties to enroll in the High Conflict Online Parenting Course.

<https://www.highconflictsolutions.com/>

Please let me know if you have any other questions.

Thank you,



**SUZANNA ZAVALA**

Judicial Executive Assistant  
to the Honorable Cheryl B. Moss  
Eighth Judicial District Court  
Family Court, Dept. I  
#01 North Pecos Road  
Las Vegas, NV 89101  
702.455-1887 | [ZavalaA@clarkcountycourts.us](mailto:ZavalaA@clarkcountycourts.us)

MOFI

DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA

Nadine Williams  
Plaintiff/Petitioner  
v. Herman George Williams  
Defendant/Respondent

Case No. D-19-586291-D

Dept. 1

**MOTION/OPPOSITION  
FEE INFORMATION SHEET**

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

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

<input type="checkbox"/> \$25	The Motion/Opposition being filed with this form is subject to the \$25 reopen fee.
-OR-	
<input checked="" type="checkbox"/> \$0	The Motion/Opposition being filed with this form is not subject to the \$25 reopen fee because:
<input checked="" type="checkbox"/> The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.	
<input type="checkbox"/> The Motion/Opposition is being filed solely to adjust the amount of child support established in a final order.	
<input type="checkbox"/> The Motion/Opposition is for reconsideration or for a new trial, and is being filed within 10 days after a final judgment or decree was entered. The final order was entered on _____.	
<input type="checkbox"/> Other Excluded Motion (must specify) _____.	

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

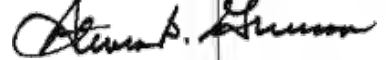
<input checked="" type="checkbox"/> \$0	The Motion/Opposition being filed with this form is not subject to the \$129 or the \$57 fee because:
<input checked="" type="checkbox"/> The Motion/Opposition is being filed in a case that was not initiated by joint petition.	
<input type="checkbox"/> The party filing the Motion/Opposition previously paid a fee of \$129 or \$57.	
-OR-	
<input type="checkbox"/> \$129	The Motion being filed with this form is subject to the \$129 fee because it is a motion to modify, adjust or enforce a final order.
-OR-	
<input type="checkbox"/> \$57	The Motion/Opposition being filing with this form is subject to the \$57 fee because it is an opposition to a motion to modify, adjust or enforce a final order, or it is a motion and the opposing party has already paid a fee of \$129.

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

The total filing fee for the motion/opposition I am filing with this form is:	
<input checked="" type="checkbox"/> \$0	<input type="checkbox"/> \$25 <input type="checkbox"/> \$57 <input type="checkbox"/> \$82 <input type="checkbox"/> \$129 <input type="checkbox"/> \$154

Party filing Motion/Opposition: Plaintiff Date 12/5/19

Signature of Party or Preparer MJR



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"Unbundled" Attorney for Defendant

5 DISTRICT COURT  
FAMILY DIVISION  
6 CLARK COUNTY, NEVADA

7 NADINE WILLIAMS,

8 Plaintiff,

9 vs.

10 HERMAN GEORGE WILLIAMS,

11 Defendant

)  
) Case No.: D-19-586291-D

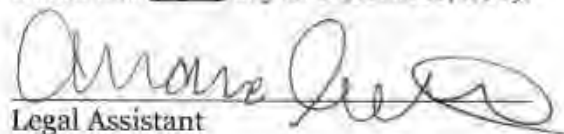
)  
) Dept.: 1

) **CERTIFICATE OF SERVICE**

12  
13 I hereby certify that on the 9 day of December, 2019, the foregoing  
14 DEFENDANT HERMAN GEORGE WILLIAMS 16.2 INITIAL DISCLOSURES,  
15 REQUEST FOR ADMISSIONS, DEFENDANT'S FIRST SET OF INTERROGATORIES  
16 TO PLAINTIFF AND DEFENDANT'S FIRST SET OF REQUESTS FOR PRODUCTION  
17 OF DOCUMENTS TO PLAINTIFF was served by electronic service via the Eighth  
18 Judicial District Court E-Filing System to the following at their last known addresses:

19 FRANK TOTI, Esq.  
[britney@fjtest.com](mailto:britney@fjtest.com)  
20 [frank@fjtest.com](mailto:frank@fjtest.com)  
21 Counsel for Plaintiff

22 Dated this 9 day of December, 2019.

23   
24 Legal Assistant

*Steven D. Grierson*

1 **PSER**  
2 **FRANK J TOTI 005804**  
3 **6900 Westcliff Drive #500**  
4 **Las Vegas Nevada 89145**  
5 **p 702.364.1604 f 702.364.1603**  
6 **frank@fjtesq.com**  
7 **Attorney for Plaintiff**

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

10 **NADINE WILLIAMS,**  
11 **Plaintiff,**

**Case No. D-19-586291-D**

**Dept No. I**

12 **v**

13 **HERMAN GEORGE WILLIAMS,**  
14 **Defendant.**

15 **PROOF OF SERVICE**

16 I hereby certify that service of the foregoing **PLAINTIFF'S OPPOSITION**  
17 **TO MOTION AND COUNTERMOTION** was made on the 5<sup>th</sup> day of  
18 December, 2019, pursuant to NRCP 5(b)(2)(D), and EDCR 8.05, by  
19 electronic service via the Court's E-Filing System, proof of which is  
20 attached hereto, as follows:

21 **Kenneth Robbins, Esq.**  
22 **familyfirst@halfpricelawyers.com**  
23 **Attorney for Defendat**

24  *Frank J. Toti*  
25 **FRANK J TOTI, ESQ. 005804**  
26 **6900 Westcliff Drive #500**  
27 **Las Vegas Nevada 89145**  
28



**Britney**

---

**From:** efilngmail@tylerhost.net  
**Sent:** Thursday, December 05, 2019 3:51 PM  
**To:** Britney  
**Subject:** Notification of Service for Case: D-19-586291-D, Nadine Alecia Williams, Plaintiffvs.Herman George Williams, Defendant. for filing Opposition and Countermotion - OPPC (FAM), Envelope Number: 5305215



## Notification of Service

Case Number: D-19-586291-D  
Case Style: Nadine Alecia Williams,  
Plaintiffvs.Herman George Williams, Defendant.  
Envelope Number: 5305215

This is a notification of service for the filing listed. Please click the link below to retrieve the submitted document.

Filing Details	
<b>Case Number</b>	D-19-586291-D
<b>Case Style</b>	Nadine Alecia Williams, Plaintiffvs.Herman George Williams, Defendant.
<b>Date/Time Submitted</b>	12/5/2019 3:50 PM PST
<b>Filing Type</b>	Opposition and Countermotion - OPPC (FAM)
<b>Filing Description</b>	Plaintiff's Opposition to Motion and Countermotion
<b>Filed By</b>	Britney Robinson
<b>Service Contacts</b>	Nadine Alecia Williams:  Frank Toti (frank@fjtesq.com)  Britney Robinson (britney@fjtesq.com)   Herman George Williams:  Kenneth Robbins, Esq. (FamilyFirst@HalfPriceLawyers.com)

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