

1 Todd Robben
2 In Pro per
3 PO Box 4251
4 Sonora, CA 95370
5 Robben.ty@gmail.com
6 (209)540-7713

RECEIVED FILED
JUN 27 2022 JUN 27 PM 3:42

Douglas County BOBBIE R. WILLIAMS
District Court Clerk CLERK

Electronically Filed
Jun 29 2022 04:09 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

7 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

9
10 IN RE: THE ESTATE OF THOMAS
11 JOSEPH HARRIS,

12
13 Deceased

CASE NO.: 2021 PB00034

NOTICE OF APPEAL

DEPARTMENT: 1

JUDGE: Nathan Tod Young

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15
16
17 Petitioner, Todd C. Robben appeals the decision, order and judgment pursuant
18 to NRS §§ 155.190 from Judge Nathan Tod Young on June 21, 2022¹ denying
19 Petitioner counsel and granting the final accounting and final distribution in the above
20 titled case.

21 Respectfully,

22 

23
24 /s/ Todd Robben

25 06/27/2022

26
27 ¹ The order appears to be dated June 22, 2022.

1
2 **CERTIFICATE OF MAILING**
3

4 I, Stephen James Robben, declare under penalty of perjury under the law of the
5 State of Nevada that the following is true and correct copy of the filed document. That
6 on June 27, 2022, service of the document was made pursuant to NRCP 5(b) by
7 depositing a email to: F. McClure Wallace, counsel for Respondent,
8 mcclure@wallacemillsap.com
9

10 DATED this 27 day of June, 2022
11

12 Submitted By: /s/ Stephen James Robben
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RECEIVED

Form 2. Case Appeal Statement

JUN 28 2022

FILED

No. 2021-PB-00034

Douglas County, Dept. No. I
District Court Clerk

2022 JUN 28 AM 10:06

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE
OF NEVADA IN AND FOR THE COUNTY OF DOUGLAS

DOUGLAS WILLIAMS

BY  DEPUTY

IN RE: THE ESTATE OF
THOMAS JOSEPH HARRIS,
Deceased

CASE APPEAL STATEMENT

1. Name of appellant filing this case appeal statement:
Todd Robben.
2. Identify the judge issuing the decision, judgment, or order appealed from:
Nathan Tod Young.
3. Identify each appellant and the name and address of counsel for each appellant:
Todd Robben - P.O. Box 4251, Sonora CA 95370.
4. Identify each respondent and the name and address of appellate counsel, if known, for each respondent (if the name of a respondent's appellate counsel is unknown, indicate as much and provide the name and address of that respondent's trial counsel):
N/A.
5. Indicate whether any attorney identified above in response to question 3 or 4 is not licensed to practice law in Nevada and, if so, whether the district court granted that attorney permission to appear under SCR 42 (attach a copy of any district court order granting such permission):
N/A.
6. Indicate whether appellant was represented by appointed or retained counsel in the district court: N/A
7. Indicate whether appellant is represented by appointed or retained counsel on appeal:
Proper Person.
8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave:
Appellant was granted leave to proceed in forma pauperis filed May 23, 2022.
9. Indicate the date the proceedings commenced in the district court (e.g., date complaint, indictment, information, or petition was filed):
Order granting Petition to Confirm First and Final Accounting, Request for Final Distribution, and Request for Payment of Professional's Fees and Costs filed June 22, 2022.
10. Provide a brief description of the nature of the action and result in the district court, including the type of judgment or order being appealed and the relief granted by the court:
This is a probate matter in which the appellant is appealing the Order granting Petition to Confirm First and Final Accounting, Request for Final Distribution, and Request for Payment of Professional's Fees and Costs filed June 22, 2022.

1 11. Indicate whether the case has previously been the subject of an appeal to or original writ
2 proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number
of the prior proceeding: N/A

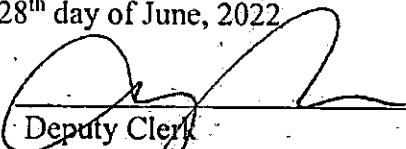
3 12. Indicate whether this appeal involves child custody or visitation:

4 No.

5 13. If this is a civil case, indicate whether this appeal involves the possibility of settlement:

6 N/A

7 Dated this 28th day of June, 2022

8 
Deputy Clerk

9 P.O. Box 218

Minden, Nevada 89423

775-782-9820

1 CASE NO.: 2021 PB00034

2 DEPT NO.: I

RECEIVED

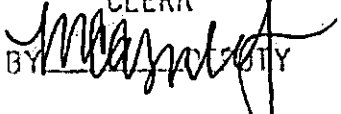
JUN 22 2022

Douglas County
District Court Clerk

FILED

2022 JUN 22 AM 11:04

BOBBIE R. WILLIAMS
CLERK

BY  CLERK

3
4
5 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
6
7 IN AND FOR THE COUNTY OF DOUGLAS

8 IN RE:

9 THE ESTATE OF THOMAS JOSEPH
10 HARRIS,

Deceased

11
12 **ORDER GRANTING PETITION TO CONFIRM FIRST AND FINAL**
13 **ACCOUNTING, REQUEST FOR FINAL DISTRIBUTION, AND REQUEST**
14 **FOR PAYMENT OF PROFESSIONAL'S FEES AND COSTS**

15 Tara M. Flanagan, in her capacity as the Court appointed Personal
16 Representative (aka "Successor Executor") of the Estate of Thomas Joseph Harris
17 (the "Estate"), by and through her counsel of record, F. McClure Wallace and Patrick
18 R. Millsap of Wallace & Millsap, has presented her Petition to Confirm First and
19 Final Accounting, Request for Final Distribution and Request for Payment of
20 Professional Fees and Costs (the "Petition").

21 The Court conducted a properly noticed hearing on the Petition on May 24,
22 2022. The Court received no objections to the Petition. However, also on or about
23 May 24, 2022, Mr. Todd Robben filed a *Notice of Motion for Continuance and Motion*
24 *for Continuance* requesting up to a six-month continuance of the matter. Based on
25 the presentations of Mr. Robben and Counsel for the Estate at the hearing, the Court
26 granted Mr. Robben a short extension to demonstrate a basis upon which he could
27 assert any standing in this matter, continuing the hearing on the Petition to June 21,
28 2022. Thereafter, Mr. Robben filed a *Request for Appointment of Counsel* on June 15,

2022. The Court then conducted a continued hearing for approval of the Petition on June 21, 2022. Again, the Court received no objections to the Petition beyond the filings and presentation of Mr. Robben. Counsel for the Estate argued in favor of granting the Petition and presented legal arguments in opposition to Mr. Robben's filings and oral presentation, namely that Mr. Robben is not an interested person in this matter as defined by NRS 132.185, and as such lacks standing to object to the Petition or be appointed counsel by the Court pursuant to NRS 136.200.

Having considered the Personal Representative's Petition, Mr. Todd Robben's filings, and having heard the presentation of the Personal Representative by and through her Counsel, as well as the presentation of Mr. Todd Robben, appearing in *pro per*, the Court finds as follows:

FINDINGS AND ORDER

1. Thomas Joseph Harris (the "Decedent") died on December 30, 2019, as a resident of Douglas County, Nevada.

2. The Decedent's death was caused by a motor vehicle accident in Washoe County, Nevada on or about December 19, 2019. The Decedent was not at fault for the motor vehicle accident.

3. The Last Will and Testament of Thomas Joseph Harris was duly lodged with this Court on April 6, 2021.

4. The Decedent's Last Will and Testament is a pour over will, identifying the Decedent's Trust as the beneficiary of his Will. The Decedent's Trust is The Declaration of Trust Known as the Thomas J. Harris Trust, Dated June 12, 2019 (the "Decedent's Trust" or the "Trust").

5. The Decedent's Last Will and Testament identified the following line of Executors: Jeff Robben, Scott Barton, and Tara Flanagan.

6. On March 10, 2021, Scott Barton filed his *Verified Petition for Letters of Special Administration (NRS 140.010) and for Probate of Will and Issuance of Letters Testamentary (NRS 136.090)*. Mr. Barton was the appropriate individual to seek

1 appointment as the Personal Representative of the Estate because the first
2 nominated executor, Mr. Robben, had passed away on November 11, 2020.

3 7. On April 6, 2021, this Court entered its *Order Admitting Will to Probate*
4 *and Issuing Letters Testamentary* appointing Scott Barton to serve as the Personal
5 Representative of the Estate. Consistent with the Court's Order, Letters
6 Testamentary were issued to Scott Barton on April 22, 2021.

7 8. Upon information and belief, pursuant to his appointment as the
8 Estate's Personal Representative, Scott Barton began his efforts to administer the
9 Decedent's Estate. Namely for purposes of this Petition, Mr. Barton continued Mr.
10 Robben's previously initiated efforts to prosecute the wrongful death claims related
11 to the Decedent's death, including retaining Ms. Julie Throop, Esq. to represent the
12 Estate regarding the wrongful death of the Decedent.

13 9. By and through its retained litigation Counsel, the Estate was able to
14 reach a pre-litigation resolution of all claims regarding the wrongful death of the
15 Decedent, as discussed in greater detail below.

16 10. Thereafter, and before completing the negotiated settlement or gaining
17 Court approval of the settlement on behalf of the Estate, Scott Barton notified Tara
18 Flanagan he was resigning as the Personal Representative of the Estate.

19 11. Consistent with her nomination as the next named executor of the
20 Estate by the Decedent's Will, Ms. Flanagan filed her *Petition for Appointment of*
21 *Successor Executor and for Issuance of Letters Testamentary* on June 25, 2021.

22 12. On July 27, 2021, the Court entered its *Order Appointing Successor*
23 *Executor and Issuing Successor Letters Testamentary*, and on August 17, 2021, the
24 Court issued Letters Testamentary to Tara M. Flanagan.

25 13. Pursuant to her appointment as the Personal Representative of the
26 Estate, on August 30, 2021, Ms. Flanagan filed her Petition to Approve Settlement
27 (the "Petition"), seeking this Court's confirmation of the settlement negotiated by Mr.
28 Barton and Ms. Throop on behalf of the Estate regarding the Decedent's death, as

1 well as authorizing Ms. Flanagan, in her capacity as the Estate's Personal
2 Representative, to complete all remaining steps necessary to effectuate the
3 settlement for the benefit of the Estate.

4 14. Thereafter, the Court held a hearing on September 9, 2021 on the
5 Personal Representative's Petition. The hearing was attended by Thomas A. Harris,
6 Counsel for Mr. Thomas A. Harris, the Personal Representative, Counsel for the
7 Personal Representative, and the Estate's wrongful death Counsel, Julie Throop, Esq.
8 At the hearing the Judge heard from all Counsel regarding the issue of Ms. Throop's
9 attorney fees as raised by Mr. Thomas A. Harris by and through his Counsel. At the
10 conclusion of the hearing, Mr. Harris withdrew any objection he had previously
11 presented to Ms. Throop's fees incurred as wrongful death Counsel for the Estate. As
12 a result, there is no objection before the Court to the Petition to Approve the
13 Settlement filed by the Personal Representative, nor any objection to the settlement
14 placed before the Court for confirmation.

15 15. On September 9, 2021 the Court entered its *Order Granting Petition to*
16 *Approve Settlement.*

17 16. Pursuant to the Court's *Order Granting Petition to Approve Settlement*
18 Tara M. Flanagan, in her capacity as the Estate's Personal Representative, finalized
19 the settlement for the benefit of the Estate and deposited all settlement proceeds in
20 the Estate's bank account. The Court finds Ms. Flanagan's efforts in this regard to
21 have been dutifully and properly fulfilled.

22 17. On April 15, 2022, the Personal Representative filed the subject *Petition*
23 *to Confirm First and Final Accounting, Request for Final Distribution, and Request*
24 *for Payment of Professional's Fees and Costs.*

25 18. Shortly thereafter, the Estate's Inventory and Record of Value was
26 appropriately filed.

27 19. As reported in the Personal Representative's Petition, Notice to
28 Creditors was properly filed on April 22, 2021, and published in the Record Courier

1 on April 29, May 6, and May 13, 2021. Proof of Publication of the Notice to Creditors
2 was filed with the Court on May 20, 2021. No creditor's claims were filed against the
3 Estate.

4 20. All tax returns appropriately required of the Decedent have been filed.
5 A final estate tax return will be filed. There is no known liability due on this return.

6 21. The Administrator has received no other communication or inquiry from
7 any other taxing authority or any other claimant.

8 22. The acts of the Tara Flanagan, in her capacity as the Successor
9 Executor, are ordinary, necessary, and reasonable without exception.

10 23. After all administrative expenses, legal expenses, and claims have been
11 paid, all remaining assets, including any after discovered assets, will be distributed
12 to the Estate's sole beneficiary, the Thomas J. Harris Trust, dated June 12, 2019.

13 24. The time necessary for the Successor Executor to complete the tasks
14 required of her has been ordinary, necessary, and reasonable.

15 25. The gross value of the Estate for computing the Petitioner's Commission
16 is \$620,000.00.

17 26. Pursuant to NRS 150.020, the Petitioner is entitled to \$13,550.00 in
18 ordinary compensation.

19 27. Counsel has rendered valuable services to the Petitioner.

20 28. The rates charged by Wallace & Millsap LLC are ordinary, necessary,
21 and reasonable.

22 29. The services performed by Wallace & Millsap LLC are appropriate,
23 necessary, and reasonable without exception.

24 30. Wallace & Millsap LLC has requested the sum \$20,638.00 in attorney's
25 fees.

26 31. Wallace & Millsap LLC has requested the sum of \$994.78 for costs
27 advanced.

28 32. Finally, upon thorough review by this court, including review of Mr.

1 Robben's written filings and hearing Mr. Robben's oral presentation at both the May
2 24, 2022 hearing as well as the June 21, 2022 continued hearing, the Court
3 determines Mr. Robben is not an "interested person" in this Estate as defined by NRS
4 132.185, and as such has no standing to object to the Petition, be appointed Counsel,
5 or otherwise appear in this proceeding. Specifically, the Court heard from Mr.
6 Robben, and after giving him additional time, Mr. Robben was unable to present any
7 legal basis or admissible evidence to potentially allow a determination he is an
8 interested person in this Estate. Therefore, Mr. Todd Robben is not an interest^{ed}
9 person to this Estate, and as such has no standing to oppose or object to the Petition,
10 or to otherwise appear in these proceedings.
11

12 **WHEREFORE**, as a result of the foregoing, considering the *Petition to*
13 *Confirm First and Final Accounting, Request for Final Distribution, and Request for*
14 *Payment of Professional's Fees and Costs* filed by the Personal Representative,
15 considering Mr. Todd Robben's *Notice of Motion for Continuance and Motion for*
16 *Continuance*, and hearing the presentation of Counsel and Mr. Robben, the Court
17 having good cause ORDERS as follows:

18 A. The First and Final Accounting of the Estate is approved without
19 exception.

20 B. The acts of the Personal Representative with respect to the
21 administration of the Estate are confirmed without exception

22 C. It was proper to generally administer this Estate.

23 D. There were no known prior distributions.

24 E. The Personal Representative's requested ordinary fees and costs are
25 necessary and reasonable in all respects.

26 F. The Personal Representative is authorized and directed to pay herself
27 \$13,550.00 in ordinary fees.
28

- 1 G. All actions and services rendered by Counsel for the Personal
2 Representative were reasonable and appropriate.
- 3 H. Counsel for the Personal Representative's requested fees and costs were
4 necessary and reasonable in all respects.
- 5 I. The Personal Representative is authorized and directed to pay the law
6 firm of Wallace & Millsap LLC, the sum of \$20,638.00 as compensation
7 for legal services rendered, and to be rendered by said attorney and
8 paralegal for the benefit of the Estate.
- 9 J. The Personal Representative is authorized and directed to pay the law
10 firm of Wallace & Millsap LLC, the sum of \$994.78 for costs advanced
11 and to be advanced in this Estate, for a total payment of fees and costs
12 in the amount of \$21,632.78.
- 13 K. The Personal Representative is authorized and directed to holdback
14 \$5,000.00 for completion of all the Estate's tax needs, including paying
15 the final accounting fees of the Estate.
- 16 L. After all administrative expenses and professional fees are paid, the
17 Personal Representative is authorized and directed to distribute the
18 Estate's remaining assets, including any after discovered assets to The
19 Declaration of Trust Known as the Thomas J. Harris Trust, Dated June
20 12, 2019, by and through Tara Flanagan as Successor Trustee.
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1 M. The Personal Representative shall complete any and all remaining task
2 necessary to complete the administration of this Estate, at which time
3 the Executor shall request her discharge from this Court.

4 N. Mr. Todd Robben is not an interested person in this matter, has no
5 standing in the proceedings, and as such his Request for Appointment
6 of Counsel is denied.

7
8
9 IT IS SO ORDERED this 22 day of June 2022.

10
11
12 
13 District Court Judge

14 Submitted by:

15 WALLACE & MILLSAP

16 /s / F. McClure Wallace

17 F. MCCLURE WALLACE, ESQ.

18 State Bar No. 10264

19 PATRICK R. MILLSAP, ESQ.

20 State Bar No. 12043

21 WALLACE & MILLSAP LLC

22 510 West Plumb Lane, Suite A

23 Reno, Nevada 89509

24 (775) 683-9599 Telephone

25 (775) 683-9597 Fax

26 Attorneys for Petitioner
27
28

Douglas County District Court

Case Summary Report

Case #: 2021-PB-00034

Case Title: In the Matter of the Estate of Harris; Thomas Joseph

Filed: 03/10/2021

Cause: Probate: Special Administration

DV: N

Case Status: Reopened

Date: 06/24/2022

Archived: 06/24/2022, 06/21/2022, 06/17/2022, 06/01/2022, 05/24/2022, 05/20/2022, 05/18/2022,

Parties

<u>Party</u>	<u>Name</u>	<u>Status</u>
Petitioner	Barton, Scott	
Petitioner	Flanagan, Tara M	
Other	Robben, Todd	
Decedent	Harris, Thomas Joseph	

<u>Party</u>	<u>Name</u>	<u>Bar #</u>	<u>Status</u>	<u>Representing</u>
Attorney	Stephenson, Abigail G.	13593	Current	
Attorney	Wallace, F. McClure	10264	Current	
Attorney	Millsap, Patrick R.	12043	Current	
Attorney	Hales, James R.	2716	Substituted Out	

Events

<u>Date/Time</u>	<u>Type</u>	<u>Result</u>	<u>Reason</u>
04/06/2021	Petition Hearing	Concluded	
07/27/2021	Petition Hearing	Concluded	
09/07/2021	Petition Hearing	Concluded	
09/21/2021	Petition Hearing	Vacated	
05/24/2022	Petition Hearing	Concluded	
06/21/2022	Petition Hearing	Concluded	

Documents

<u>Date</u>	<u>Code</u>	<u>Description</u>
	MINS	Minutes
	MINS	Minutes
	MINS	Minutes
	MINS	Minutes
	MINS	Minutes
03/10/2021	DFVD	Verified - Petition for Letters of Special Administration and for Probate of Will and Issuance of Letters Testamentary
03/11/2021	DOAP	Order Appointing - Special Administrator
03/15/2021	NHRG	Notice of Hearing
03/15/2021	DCOS	Certificate of Service
03/17/2021	DCOS	Certificate of Service
03/31/2021	DN	Notice of - Remote Appearance
04/02/2021	DPOP	Proof of Publication - Proof and Statement o Publication
04/02/2021	DNAC	Notice of Appearance of Counsel - and Request for remote appearance
04/06/2021	DWIL	Last Will and Testament
04/06/2021	DORD	Order - Admitting Will to Probate and Issuing Letters Testamentary
04/22/2021	DPLT	Letters Testamentary
04/22/2021	DSNA	Statement of Name and Address - of Personal Representative in Accordance With NRS 143.190
04/22/2021	DNTC	Notice to Creditors
04/22/2021	DINP	Instructions for Personal Representative
05/21/2021	DPOP	Proof of Publication - Proof and Statement of Publication
06/25/2021	DPSA	Petition for Appointment of - Successor Executor and for Issuance of Successor Letters Testamentary

<u>Date</u>	<u>Code</u>	<u>Description</u>
06/25/2021	DNAC	Notice of Appearance of Counsel - Notice of Appearance; Request for Special Notice
06/29/2021	NHRG	Notice of Hearing
06/29/2021	COM	Certificate of Mailing
07/01/2021	DREQ	Request - for Special Notice
07/21/2021	DN	Notice of - Notice and Request of Tara M. Flanagan to Appear Remotely Via Zoom at the July 27, 2021 Hearing
07/22/2021	DMIS	Misc. Document - Nature of Response
07/27/2021	DORD	Order - Appointing Successor Executor and Issuing Successor Letters Testamentary
08/17/2021	DPLT	Letters Testamentary
08/30/2021	DIPT	Petition - to Approve Settlement
08/30/2021	NHRG	Notice of Hearing
08/31/2021	MMOT	Motion - Emergency Motion to Dispense of Notice of Hearing, for a Telephonic Hearing at the Courts very Earliest Convenience and Response to the Petition
09/01/2021	DVER	Verification - of Petition to Confirm Settlement
09/03/2021	DOSH	Order Setting Hearing
09/03/2021	DOSH	Order Setting Hearing
09/08/2021	DINP	Instructions for Personal Representative
09/09/2021	DORD	Order - Granting Petition to Approve Settlement
09/16/2021	DNEO	Notice of Entry of Order
04/15/2022	DIPT	Petition - to Confirm First and Final Accounting, Request for Final Distribution, and Request for Payment of Professional's Fees and Costs
04/15/2022	NHRG	Notice of Hearing
04/21/2022	DGIA	Inventory and Appraisalment
04/25/2022	DSOA	Substitution of Attorneys
05/12/2022	DREQ	Request - to Appear via Zoom for Hearing
05/16/2022	DORD	Order - Granting Request for Remote Appearance
05/23/2022	DATP	Application to Proceed in Forma Pauperis
05/23/2022	DOPA	Order to Proceed in Forma Pauperis
05/23/2022	MMOT	Motion - Notice of Motion for Continuance and Motion for Continuance
06/15/2022	DREQ	Request - to Appear Remotely Via Zoom for Court Appearance/Hearing
06/16/2022	DREQ	Request - for Appointment of Counsel Pursuant to NRS 136.200
06/16/2022	DORD	Order - Granting Request
06/22/2022	DEXM	Ex Parte Motion - Emergency Stay Request Emergency Verified Motion to Reconsider; Request for Calcification; Notice on Non Hearsay Proof of the Thomas Joseph and Olga Harris Living Trust
06/22/2022	DORD	Order - Granting Petition to Confirm First and Final Accounting, Request for Final Distribution, and Request for Payment of Professional's Fees and Costs
06/23/2022	DSUP	Supplement - Supplemental Points & Authority
06/24/2022	MMOT	Motion - to Expedite Stay Request Pending Reconsideration Request for Submission

CASE NO: 2021-PB-00034

DEPT NO. I

IN THE MATTER OF THE ESTATE OF

Thomas Joseph Harris,

DATE: 06/21/2022

JUDGE: Nathan Tod Young

CLERK: Courtni Walker

COURT REPORTER: Not Reported

PETITIONER'S COUNSEL: F. McClure Wallace

LAW CLERK: John Seddon

BAILIFFS: George Schramm/Les Vido

OTHERS PRESENT:

Todd Robben - Step-son of the decedent (via Zoom)

Thomas A. Harris - Beneficiary (via Zoom)

The above-entitled matter was before the Court this being the time set for CONTINUED PETITION TO CONFIRM FIRST AND FINAL ACCOUNTING, REQUEST FOR FINAL DISTRIBUTION, AND REQUEST FOR PAYMENT OF PROFESSIONAL'S FEES AND COSTS. The petitioner was present in court and represented by counsel.

The verified Petition is on file with the Court and due notice was given as required by law.

The Court is in receipt of Mr. Robben's Request for Appointment of Counsel.

Mr. Wallace opposed the request for appointment of counsel.

The Court finds that Mr. Robben has failed to demonstrate that he is an interested party in this case and the request for appointment of counsel is denied and the petition is granted.

Mr. McClure Wallace will prepare the order.

CASE NO: 2021-PB-00034

DEPT NO. I

IN THE MATTER OF THE ESTATE OF

Thomas Joseph Harris,

DATE: 05/24/2022

JUDGE: Nathan Tod Young

CLERK: Courtni Walker

COURT REPORTER: Not Reported

PETITIONER'S COUNSEL: F. McClure Wallace

LAW CLERK: John Seddon

BAILIFFS: George Schramm/Eric Lindsay

OTHERS PRESENT:

Tara Flanagan - Petitioner

Todd Robben - Stepson of the Decendant

The above-entitled matter was before the Court this being the time set for PETITION TO CONFIRM FIRST AND FINAL ACCOUNTING, REQUEST FOR FINAL DISTRIBUTION, AND REQUEST FOR PAYMNET OF PROFESSIONAL'S FEES AND COSTS. The petitioner was present in court (via Zoom) and represented by counsel.

The verified Petition is on file with the Court and due notice was given as required by law.

Mr. Robben requested a continuance.

Mr. Wallace presented argument regarding Mr. Robben's interest in this matter.

The Court continued this matter to June 21, 2022 at 1:30 p.m.

CASE NO: 2021-PB-00034

DEPT NO. I

IN THE MATTER OF THE ESTATE OF

Thomas Joseph Harris,

DATE: 09/07/2021

JUDGE: Nathan Tod Young

CLERK: Marilyn Carney

COURT REPORTER: Not Reported

PETITIONER'S COUNSEL: Abigail G. Stephenson

LAW CLERK: John Seddon

BAILIFFS: Les Vido

OTHERS PRESENT:

Preston Mathews (via Zoom) - Counsel for Thomas Harris

Julie Throop (via Zoom) - Counsel for Scott Barton

Tara Flanagan (via Zoom) - Petitioner

F. McClure Wallace - Counsel for Tara Flanagan

The above-entitled matter was before the Court this being the time set for Petition to Approve Settlement. The petitioner was present in court and represented by counsel.

The Petition is on file with the Court and due notice was given as required by law.

Hearing no objection, the Court entered an order granting the prayer of the petition.

Mr. McClure will prepare the Order.

CASE NO: 2021-PB-00034

DEPT NO. I

IN THE MATTER OF THE ESTATE OF

Thomas Joseph Harris,

DATE: 07/27/2021

JUDGE: Nathan Tod Young

CLERK: Marilyn Carney

COURT REPORTER: Not Reported

PETITIONER'S COUNSEL: Abigail G. Stephenson

LAW CLERK: Not Present

BAILIFFS: Les Vido/George Schramm

OTHERS PRESENT:

Steven Silva - Counsel for Scott Barton

Tara Flanagan (via Zoom)

James Hales - Counsel for Protected Person

F. McClure Wallace - Counsel for Tara Flanagan

The above-entitled matter was before the Court this being the time set for Petition for Appointment of Successor Executor and for Issuance of Successor Letters Testamentary. The petitioner was present in court via Zoom and represented by counsel.

Mr. Wallace presented statements.

The Petition is on file with the Court and due notice was given as required by law.

Hearing no objection, the Court entered an order granting the prayer of the petition.

CASE NO: 2021-PB-00034

DEPT NO. I

IN THE MATTER OF THE ESTATE OF

Thomas Joseph Harris,

DATE: 04/06/2021

JUDGE: Nathan Tod Young

CLERK: Delores Goelz

COURT REPORTER: Not Reported

PETITIONER'S COUNSEL: Abigail G. Stephenson

LAW CLERK: John Seddon

BAILIFFS: William Addington

OTHERS PRESENT: James Hales (Zoom) - Counsel for Thomas Haris

The above-entitled matter was before the Court this being the time set for VERIFIED PETITION FOR APPOINTMENT OF GENERAL GUARDIAN. The petitioner was not present in court but was represented by counsel.

The verified Petition is on file with the Court and due notice was given as required by law.

Hearing no objection, the Court entered an order granting the prayer of the petition.

RECEIVED

MAY 23 2022

Douglas County
District Court Clerk

Your Name: Todd Robben
Address: P.O. Box 4251
City, State, Zip: Sanora, CA 95370
Telephone: 209-540-7713
Email Address: Robben.Ty@gmail.com
Self-Represented

FILED

2022 MAY 23 PM 1:57

BOBBIE R. WILLIAMS
CLERK

BY AWB DEPUTY

DISTRICT COURT
COUNTY, NEVADA

THOMAS J. HARRIS

Plaintiff,

vs.

TODD C. ROBBEN

Defendant.

CASE NO.: 2021 PB00034

DEPT: 1

Application to Proceed in Forma Pauperis

Pursuant to NRS 12.015, and based upon the information contained in this Application and Affidavit, I request permission from this Court to proceed without paying filing fees, or other costs and fees as provided in NRS 12.015 because I lack sufficient financial ability.

I understand that if approved, the order allowing me to proceed in forma pauperis will be valid for one year. I will be required to file a new Application to Proceed in Forma Pauperis if I need further filing fees and court costs and fees waived after one year.

EMPLOYMENT: (☒ check one)

☐ I am unemployed.

☒ I am employed. My employer is Waste Management and my job title is Scalehouse Attendant.

☐ I am self-employed. The name of my business is _____.

© 2017 Nevada Supreme Court

Personal Income (write "0" for any income you do not have)		
A	Monthly Wages from Employment (before taxes)	\$ 2,722
B	Monthly Tip Income	\$ 0
C	Monthly Unemployment Benefits	\$ 0
D	Public Benefits/Assistance received each month <input type="checkbox"/> TANF <input type="checkbox"/> SSD <input type="checkbox"/> SSI <input checked="" type="checkbox"/> food stamps <input type="checkbox"/> other: <u>medical</u>	\$
E	Social Security	\$ 0
F	Retirement / Pension	\$ 0
G	Monthly Child Support received	\$ 0
H	Other: _____	\$ 0
TOTAL INCOME (add lines A-H)		\$ 2,722.00

Household Information		
A	How many adults (18 and up) live in the home (include yourself)?	0
B	How many children (under 18) live with you?	0
TOTAL HOUSEHOLD SIZE (add A+B)		0

Household Income		
List the names of the adults you live with and their estimated monthly earnings:		
Name:	Relationship:	\$ 0
Name:	Relationship:	\$ 0
Name:	Relationship:	\$ 0

Monthly Expenses (write "0" for any expense you do not have)		
A	Rent / Mortgage	\$ 750.00
B	Utilities (electricity, gas, phone, other utilities)	\$ 200.00
C	Food	\$ 400.00
D	Child Care	\$ 0
E	Medical Expenses (including health insurance)	\$ 0
F	Transportation (insurance, gas, bus fare, etc.)	\$ 350.00
G	Other: <u>unemp payback</u>	\$ 1000.00
TOTAL EXPENSES (add lines A-G)		\$ 2700.00

Assets (write "n/a" and "0" for any assets you do not have)		
Asset	What It's Worth	What you Owe
Checking Account	\$ 0	n/a
Savings Account	\$ 0	n/a
Car (year/make/model): 2002 Subaru	\$ 2,000	\$ 0
House / Real Estate You Own (address: _____)	\$ 0	\$ 0
Other: none	\$ 0	\$ 0

Declaration in Support of Request to Proceed In Forma Pauperis

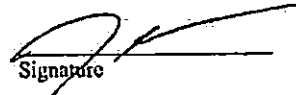
Briefly explain your current financial situation and why you are unable to pay the filing fee. For example, if you are unemployed explain why, for how long, and what efforts you are making to obtain employment. If you are temporarily living with a friend or relative explain for how long and how they help you financially.

I was released from Cal. State prison in April 2020 on false charges. I had no employment during COVID19 lockdown and only started working in October 2021 for \$16.75. I receive food stamps and state Medical healthcare. I can't afford a \$200+ filing fee and I have due process rights to challenge probate. If any money is obtained in my efforts, I can reimburse the court.

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

05/23/2022
Date

Todd Robben
Printed Name


Signature

RECEIVED

MAY 23 2022

Douglas County
District Court Clerk

Your Name: Todd Robben
Address: P.O. Box 4251
City, State, Zip: Sonora, CA 95370
Telephone: 209-540-7713
Email Address: tobben_ty@gmail.com
Self-Represented

FILED

2022 MAY 23 PM 2:17

BOBBIE R. WILLIAMS
CLERK

BY C. Williams DEPUTY

DISTRICT COURT
DOUGLAS COUNTY, NEVADA

THOMAS J. HARRIS

Plaintiff,

vs.

TODD ROBBER

Defendant.

CASE NO.: 2021 PB00034

DEPT: 1

Order to Proceed in Forma Pauperis

Upon consideration of the movant's Application to Proceed in Forma Pauperis (Judge will check one box).

☐ Denied. The Court finds that the applicant is not indigent, therefore, IT IS HEREBY ORDERED that the applicant's request to proceed in Forma Pauperis is DENIED.

☒ Granted. The Court finds that there is not sufficient income, property, or resources with which to maintain the action, and good cause appearing therefore, IT IS HEREBY ORDERED that applicant's request to proceed in Forma Pauperis is GRANTED and (your name) _____ shall be permitted to proceed with this action pursuant to the terms of this Order.

IT IS FURTHER ORDERED that if the above-named party prevails in this action, the Court shall enter an order pursuant to NRS 12.015 requiring the opposing party to pay the Court, within five (5) days, the costs which would have been incurred by the prevailing party, and those costs must then be paid as provided by law.

IT IS FURTHER ORDERED that the above-named party shall be permitted to commence or defend the action without costs. The Clerk of Court shall file or issue any necessary writ, process, pleading, or paper without charge.

IT IS FURTHER ORDERED that the Sheriff or other appropriate officer within this State shall make personal service of any necessary writ, pleading, or paper without charge.

IT IS FURTHER ORDERED that this Order shall not apply to costs for transcripts or recordings of court proceedings. A separate application and order shall be required to waive any such fees.

IT IS FURTHER ORDERED that this Order shall expire one year from the date the Order is filed. The party shall be required to reapply for any further waiver after this Order expires.

DATED this 23 day of May, 2021.

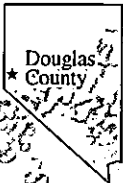

DISTRICT COURT JUDGE

Respectfully Submitted:

(Signature) 

(Printed Name) Todd Robben

In Proper Person



BOBBIE R. WILLIAMS
CLERK OF COURT
COURT ADMINISTRATOR
JURY COMMISSIONER

District Court Clerk's Office
(775) 782-9820
Tahoe Justice Court
(775) 586-7200
East Fork Justice Court
(775) 782-9955

Transmittal to the Supreme Court

To: Nevada Supreme Court
210 South Carson Street
Carson City, Nevada 89710

Date: June 28, 2022

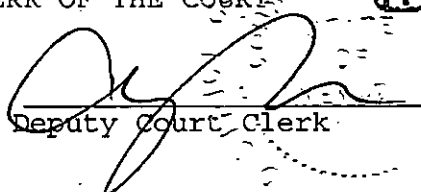
Re: District Court Case #: 2021-PB-00034

District Court Case Name: IN THE MATTER OF THE ESTATE OF THOMAS JOSEPH HARRIS

The following documents are transmitted to the Supreme Court pursuant to the July 22, 1996 revisions to the Nevada Rules of Appellate Procedure. Checked items are NOT included in this appeal:

- ☐ Notice of Appeal
- ☐ Case Appeal Statement
- ☒ Certificate That No Transcript Is Being Requested
- ☒ Defendant's Request for Transcript of Proceedings
- ☒ Notice of Posting of Appeal Bond
- ☐ District Court Docket entries
- ☐ Judgment(s) or order(s) appealed from
- ☒ Order (NRAP FORM 4)
- ☒ Notice of entry of the judgment(s) or order(s) appealed from
- ☒ Certification order directing entry of judgment pursuant to NRCP 54(b)
- ☐ District Court Minutes
- ☒ Exhibit Lists
- ☒ Supreme Court filing fee (\$250.00), if applicable
- ☐ Application and Order to Proceed in Forma Pauperis

Respectfully,
BOBBIE WILLIAMS
CLERK OF THE COURT

By: 
Deputy Court Clerk

1 STATE OF NEVADA)
2) ss
3 COUNTY OF DOUGLAS)

4 I, Alondra Ponce, Deputy Clerk Douglas County, State of
5 Nevada; said Court being a Court of Record, having common law
6 jurisdiction, and a Clerk and a Seal, do hereby certify that the
7 foregoing are true copies of the following originals in Case No.
8 2021-PB-00034 - IN THE MATTER OF THE ESTATE OF THOMAS JOSEPH
9 HARRIS; Notice of Appeal; Case Appeal Statement; District Court
10 Docket Entries; Judgment(s) or Order(s) appealed from; District
11 Court Minutes; Application and Order to Proceed in Forma Pauperis.
12

13 IN TESTIMONY WHEREOF, I have
14 hereunto set my hand and affixed
15 my Official Seal at Minden, in
16 said County and State this
17 28th day of June, A.D., 2022.

18
19
20 Clerk of the Court

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22 Deputy Court Clerk
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24
25
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