

Heather S. Smith
CLERK OF THE COURT

CASE NO. D-20-602675-D

Dept. NO. # P

IN THE FAMILY DIVISION
IN THE 8TH JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA IN AND FOR THE
COUNTY OF CLARK

Electronically Filed
Oct 21 2021 10:28 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

MARLENE DIANA SALVATIERRA
Plaintiff,

VS.

WALTER GEDFFREY SALVATIERRA
Defendant.

NOTICE OF
APPEAL

Notice is hereby given that WALTER
GEDFFREY SALVATIERRA, Petitioner/
Defendant ABOVE NAMED, hereby Appeals
to the Court of Appeals for the State of Nevada
From the Final Judgment / ORDER (
NOTICE OF ENTRY OF DEFAULT JUDGMENT ,
ENTERED IN THIS ACTION ON THE _____ DAY OF
_____, 2021.

DATED this 30 day OF SEPTEMBER, 2021

X *Salvatierra Walter*

WALTER GEDFFREY SALVATIERRA

NDOC # 1244436

Appellant - Pro Per

HIGH DESERT STATE PRISON

P.O. BOX 650

INDIAN SPRINGS, NV. 89070-0650

RECEIVED
OCT 05 2021

CLERK OF THE COURT

1
2 AFFIRMATION PURSUANT TO THE DRS 239B.030

3
4 I, WALTER GEOFFREY SALVATIERRA, CERTIFY
5 THAT I AM THE UNDERSIGNED INDIVIDUAL
6 AND THAT THE ATTACHED DOCUMENT ENTITLED
7 NOTICE OF ENTRY OF DEFAULT JUDGMENT
8 DOES NOT CONTAIN THE SOCIAL SECURITY
9 NUMBER OF ANY PERSON, UNDER THE PAINS
10 AND PENALTIES OF PERJURY.

11
12 DATED THIS 30 DAY OF SEPTEMBER, 2021.

13
14 SIGNATURE: *Salvatierra Walter*

15 INMATE NAME: WALTER GEOFFREY SALVATIERRA

16 INMATE NDOC: 1244436

17 HIGH DESERT STATE PRISON

18 P.O. BOX 650

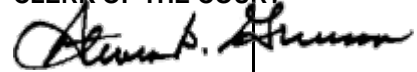
19 INDIAN SPRINGS, NU. 89070-0650
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CERTIFICATE OF SERVICE By MAIL

I, WALTER GEOFFREY SALVATIERRA, hereby
CERTIFY PURSUANT TO RULE 5(b) OF THE NRCR,
THAT ON THIS 30 DAY OF SEPTEMBER, 2021
I SERVED A TRUE AND CORRECT COPY OF THE ABOVE-
ENTITLED
POSTAGE PREPAID AND ADDRESSED AS FOLLOWS:

IN THE FAMILY DIVISION, MARLENE D. MARVAEZ
IN THE 8TH JUDICIAL DISTRICT CRT, 4616 HEARTS
CLARK COUNTY, NEVADA, DESIRE AVENUE
ATTN: OFFICE OF THE CLERK, LAS VEGAS, NV.
601 N. Pecos ROAD 89115
LAS VEGAS, NV. 89101

X *Salvatore Walter*
WALTER GEOFFREY SALVATIERRA
NDOC # 1244436
HIGH DESERT STATE PRISON
P.O. BOX 650
INDIAN SPRINGS, NV.
89070-0650



1 ASTA

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

10 MARLENE DIANA SALVATIERRA nka
11 MARLENE NARVAEZ,

12 Plaintiff(s)

13 vs.

14 WALTER GEOFFREY SALVATIERRA,

15 Defendant(s),
16

Case No: D-20-602675-D

Dept No: P

17 **CASE APPEAL STATEMENT**
18

19 1. Appellant(s): Walter G. Salvatierra

20 2. Judge: Mary Perry

21 3. Appellant(s): Walter G. Salvatierra

22 Counsel:

23 Walter G. Salvatierra #1244436
24 P.O. Box 650
25 Indian Springs, NV 89070

26 4. Respondent (s): Marlene Diana Salvatierra nka Marlene Narvaez

27 Counsel:

28 Kristine Brewer, Esq.
725 E. Charleston Blvd.

Las Vegas, NV 89104

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

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

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

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

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

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

9. Date Commenced in District Court: January 21, 2020

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

Type of Judgment or Order Being Appealed: Divorce Decree

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

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

13. Possibility of Settlement: Unknown

Dated This 14 day of October 2021.

Steven D. Grierson, Clerk of the Court

/s/ Heather Ungermann

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

cc: Walter G. Salvatierra

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. D-20-602675-D**

Marlene Diana Salvatierra, Plaintiff
vs.
Walter Geoffrey Salvatierra, Defendant.

§
 §
 §
 §

Location: **Department P**
 Judicial Officer: **Perry, Mary**
 Filed on: **01/21/2020**

CASE INFORMATION**Statistical Closures**

09/02/2021 Judgment Reached (Bench Trial)

Case Type: **Divorce - Complaint**
 Subtype: **Complaint Subject Minor(s)**

Case Status: **09/02/2021 Closed**

Case Flags: **Order After Hearing Required
 Order / Decree Logged Into
 Department
 Appealed to Supreme Court**






DATE**CASE ASSIGNMENT****Current Case Assignment**

Case Number D-20-602675-D
 Court Department P
 Date Assigned 01/04/2021
 Judicial Officer Perry, Mary

PARTY INFORMATION

Plaintiff	Salvatierra, Marlene Diana 4616 Hearts Desire Ave. Las Vegas, NV 89115	<i>Attorneys</i> Brewer, Kristine <i>Retained</i> 702-386-1070 x1504(W)
Defendant	Salvatierra, Walter Geoffrey 3101 Parkdale Cir. Las Vegas, NV 89121	Pro Se 702-542-7145(H)
Subject Minor	Salvatierra, Diana Alani Salvatierra, Sebastian Walter	

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

10/14/2021	 Case Appeal Statement Filed By: Counter Claimant Salvatierra, Walter Geoffrey <i>Case Appeal Statement</i>
10/12/2021	 Notice of Appeal Filed By: Counter Claimant Salvatierra, Walter Geoffrey <i>[41]</i>
09/03/2021	 Notice of Withdrawal Filed by: Counter Defendant Salvatierra, Marlene Diana <i>[40] Notice of Withdrawal of Attorney for Plaintiff</i>
09/03/2021	 Notice of Entry of Decree Party: Counter Defendant Salvatierra, Marlene Diana <i>[39] Notice of Entry of Decree of Divorce</i>
09/03/2021	 Confidential Information sheet - Domestic

















CASE SUMMARY

CASE NO. D-20-602675-D

	Filed by: Counter Defendant Salvatierra, Marlene Diana <i>[38] Confidential Family Court Information Sheet</i>
09/02/2021	 Decree of Divorce <i>[37] Decree of Divorce</i>
05/27/2021	 Declaration Filed By: Counter Defendant Salvatierra, Marlene Diana <i>[36] Declaration of Resident Witness</i>
05/18/2021	 Certificate of Mailing Filed By: Counter Defendant Salvatierra, Marlene Diana <i>[35] Certificate of Mailing</i>
05/18/2021	 Financial Disclosure Form Filed by: Counter Defendant Salvatierra, Marlene Diana <i>[34] General Financial Disclosure Form</i>
05/18/2021	 Certificate of Mailing Filed By: Counter Defendant Salvatierra, Marlene Diana <i>[33] Certificate of Mailing</i>
05/18/2021	 Exhibits Filed By: Counter Defendant Salvatierra, Marlene Diana <i>[32] Exhibits in Support of Decree of Divorce</i>
03/23/2021	 Certificate of Mailing Filed By: Counter Defendant Salvatierra, Marlene Diana <i>[31] Certificate of Mailing</i>
03/23/2021	 Notice of Hearing <i>[30] Notice of hearing</i>
03/18/2021	 Motion Filed By: Counter Defendant Salvatierra, Marlene Diana <i>[29] Motion to Suspend Defendant's Visitation; Order Defendant to Attend Options Program; Set Child Support and Order Children to Receive Therapy Visitation and All Other Related Relief</i>
01/20/2021	 Notice of Entry of Order Filed By: Counter Defendant Salvatierra, Marlene Diana <i>[28] Notice of Entry of Order</i>
01/19/2021	 Order <i>[27] Order</i>
01/14/2021	 Notice of Entry of Order Filed By: Counter Defendant Salvatierra, Marlene Diana <i>[26] Notice of Entry of Order</i>
01/13/2021	 Order <i>[25] Order</i>
01/12/2021	 Notice of Entry of Order Filed By: Counter Defendant Salvatierra, Marlene Diana <i>[24] Notice of Entry of Order</i>
01/04/2021	Administrative Reassignment - Judicial Officer Change <i>Judicial Reassignment to Judge Mary Perry</i>
11/19/2020	 Order <i>[23] Order (from 7/14/20 hearing)</i>
09/08/2020	 Order for Family Mediation Center Services <i>[21]</i>
09/08/2020	 Order for Supervised Visitation

CASE SUMMARY

CASE NO. D-20-602675-D

	[22]
07/15/2020	 Order for Supervised Visitation Filed By: Counter Defendant Salvatierra, Marlene Diana <i>[19] Order for Supervised Visitation</i>
07/14/2020	 Order <i>[18] Order for Supervised Visitation</i>
07/10/2020	 Certificate of Mailing Filed By: Counter Defendant Salvatierra, Marlene Diana <i>[17] Certificate of Mailing</i>
07/10/2020	 Financial Disclosure Form Filed by: Counter Defendant Salvatierra, Marlene Diana <i>[16] General Financial Disclosure Form</i>
06/02/2020	 Notice of Rescheduling of Hearing <i>[15] Notice of Rescheduling of Hearing</i>
04/08/2020	 Notice of Rescheduling of Hearing <i>[14] Notice of Rescheduling of Hearing</i>
03/12/2020	 Order <i>[13] Order Setting Case Management Conference And Directing Compliance With NRCP 16.2</i>
03/11/2020	 Certificate of Mailing Filed By: Counter Defendant Salvatierra, Marlene Diana <i>[12] Certificate of Mailing</i>
03/11/2020	 Reply to Counterclaim Filed By: Counter Defendant Salvatierra, Marlene Diana <i>[11] Reply to Counterclaim</i>
02/12/2020	 Supplemental Exhibits <i>[10] Supplemental Exhibits</i>
02/12/2020	 Answer - Divorce, Annulment, Separate Maintenance Filed by: Counter Claimant Salvatierra, Walter Geoffrey For: Counter Defendant Salvatierra, Marlene Diana <i>[9] Answer and Counterclaim</i>
02/11/2020	 Certificate of Mailing Filed By: Counter Claimant Salvatierra, Walter Geoffrey <i>[8] Certificate of Mailing</i>
02/04/2020	 Joint Preliminary Injunction Filed by: Counter Defendant Salvatierra, Marlene Diana <i>[7] Joint Preliminary Injunction</i>
02/04/2020	 Summons Filed By: Counter Defendant Salvatierra, Marlene Diana <i>[6] Summons</i>
02/04/2020	 Affidavit of Service Filed By: Counter Defendant Salvatierra, Marlene Diana <i>[5] Affidavit/Declaration of Service</i>
01/27/2020	 Request for Issuance of Joint Preliminary Injunction Filed By: Counter Defendant Salvatierra, Marlene Diana <i>[4] Request for Issuance of Joint Preliminary Injunction</i>
01/27/2020	 Summons Issued Only Filed by: Counter Defendant Salvatierra, Marlene Diana <i>[3] Summons</i>

CASE SUMMARY

CASE NO. D-20-602675-D

01/21/2020



Statement of Legal Aid Representation and Fee Waiver

Filed By: Counter Defendant Salvatierra, Marlene Diana

[2] Statement of Legal Aid Representation and Fee Waiver

01/21/2020



Complaint for Divorce

Filed by: Counter Defendant Salvatierra, Marlene Diana

[1] Complaint for Divorce

HEARINGS

05/19/2021



Evidentiary Hearing (1:30 PM) (Judicial Officer: Perry, Mary)

Matter Resolved;

Journal Entry Details:

EVIDENTIARY HEARING In the interest of public safety due to the Coronavirus pandemic, Attorney Brewer and the Plaintiff were present via VIDEO CONFERENCE through the BlueJeans application. Court noted the Defendant is currently incarcerated and stated that there is a current outlined Divorce Decree that has been filed by the Plaintiff with the proposed terms. Plaintiff canvassed by Attorney Brewer on terms set forth in the proposed Decree. Proposed Decree has been filed as "Plaintiff's Exhibit 12" in Odyssey pages 157 to 167 on May 18, 2021 and the terms of the proposed Decree were stated in Open Court. COURT stated FINDINGS and ORDERED the following: COURT FINDS that it has subject matter jurisdiction over this case, personal jurisdiction over the parties. Absolute DECREE of DIVORCE is GRANTED, pursuant to the terms and conditions as outlined herein. Parties are RETURNED to the STATUS of SINGLE and UNMARRIED PERSONS. Attorney Brewer shall change the length of time the Plaintiff shall have to refinance the Marital home from thirty to sixty days. Court shall appoint the Plaintiff to be able to sign said paperwork pursuant to the NRS 70 since it is no longer the Clerk of the Court. The Defendant shall be able to file a Motion once he is released from custody if he finds suitable to change any of the terms set forth in the Divorce Decree. Attorney Brewer shall file an Affidavit of Resident Witness along with the finalized Divorce Decree and submit it to the Court. Case shall be CLOSED by submission of the Decree. ;

05/05/2021



Motion (10:00 AM) (Judicial Officer: Perry, Mary)

Pltf's Motion to suspend Deft's Visitation; Order Deft. to Attend Options Program; Set Child Support and order children to Receive Therapy Visitation and All Other Related Relief

Matter Heard;

Journal Entry Details:

MOTION: PLTF'S MOTION TO SUSPEND DEFT'S VISITATION; ORDER DEFT. TO ATTEND OPTIONS PROGRAM; SET CHILD SUPPORT AND ORDER CHILDREN TO RECEIVE THERAPY VISITATION AND ALL OTHER RELATED RELIEF.... In the interest of public safety due to the Coronavirus pandemic, Attorney Brewer and the Plaintiff were present via VIDEO CONFERENCE through the BlueJeans application. Court noted the Defendant's non appearance and Attorney Brewer stated that he is currently incarcerated for violation of probation in High Desert State Prison. Attorney Brewer inquired if the Court would prefer a one sided Evidentiary Hearing or a prove up due to the remaining issues such as debts and property. COURT ORDERED the following: Plaintiff shall have SOLE LEGAL SOLE PHYSICAL custody of the Minor Child. The Defendant will be able to petition for reunification with the Minor Child once he is release from prison to start the process. The Defendant will have to prove 6 months of sobriety through the Patch Program once he is released. Visitation with the Defendant and the Minor Children will be by the Plaintiff's discretion. If the Defendant want's a visitation schedule he can file a Motion with the Court. Attorney Brewer shall provide a Evidentiary hearing/prove up on the parties property and debts and shall file Exhibits to support their decision. Evidentiary Hearing still STANDS for May 19, 2021 at 1:30 pm. The Minute Order shall suffice, and a written Order is not required. ;

11/10/2020



Return Hearing (2:00 PM) (Judicial Officer: Pomrenze, Sandra)

FMC / Donna's House Visitation

Matter Heard; E/H set for 5-19-2021 at 1:30 pm

Journal Entry Details:

RETURN HEARING: FMC/ DONNA'S HOUSE VISITATION Due to Governor Sisolak s Stay Home for Nevada directive, Plaintiff/Mom appeared with her Attorney of Record Kristine Brewer for today's proceedings. Defendant/Dad was present in a pro se manner, both parties and counsel appeared via (bluejeans) audio equipment. Upon the matter being called, the Court noted parties were unable to reach an agreement in mediation. The Court further the Temporary Protection Order issued in Case No, T-19-201413-T, expired last week. Attorney Brewer represented she had reviewed the positive report from Donna's House visitation and advised the Court as to Plaintiff/Mom's request to have Defendant/Dad drug tested. The Court noted review of the positive Donna s House report and concerns as to Plaintiff/Mom's request to have Dad drug tested. The Court noted concerns as to the minor children spending time with their dad. THE COURT ORDERED, Defendant/Dad shall EXERCISE his CUSTODIAL TIMESHARE with the minor children from 12:00 noon on Saturday's until Sunday evening at 6:00 pm. THE CUSTODIAL EXCHANGE shall occur OUTSIDE the FRONT

CASE SUMMARY

CASE No. D-20-602675-D

DOOR of FAMILY COURT located at 601 N. Pecos Rd. Las Vegas, NV 89101. Defendant/Dad shall have (1) RANDOM DRUG TEST the TEST shall be TAKEN at Plaintiff/Mom's discretion. Defendant/Dad shall pay all COST associated with the DRUG TEST. If Defendant/Dad's DRUG TEST RESULTS are NEGATIVE for all SUBSTANCES Defendant/Dad shall be REIMBURSED by Plaintiff/Mom for all COST associated with the drug test. If Defendant/Dad's DRUG TEST RESULTS are POSITIVE a MOTION shall be PREPARED by Counsel taking away Defendant/Dad's unsupervised visitation. In regards to the Defendant/Dad appearing for the (1) RANDOM DRUG TEST he will RECEIVE a TELEPHONE CALL or TEXT MESSAGE from Attorney Kristine Brewer, telling Defendant/Dad he shall REPORT for DRUG TESTING at such time Defendant/Dad shall have until 3:00 pm, (on that date) to be DRUG TESTED. If Defendant/Dad's does not APPEAR for the DRUG TEST or does not PAY for the DRUG TEST and the RESULTS are not RECEIVED by the COURT, Defendant/Dad will RECEIVE a MOTION from Attorney Brewer to take Defendant/Dad's UNSUPREIVED VISTATION away. A COPY of the DRUG TEST REFERRAL and Courts MINUTES shall be emailed to parties and counsel. EVIDENTIARY HEARING set 5-19-2021 at 1:30 pm., BRIEFS shall be VOLUNTARILY on part of the parties. Attorney Brewer shall prepare the order of the court. ;

09/08/2020



Return Hearing (2:00 PM) (Judicial Officer: Pomrenze, Sandra)

Donna's House Visitation

Referred to Family Mediation;

Journal Entry Details:

RETURN HEARING: DONNA'S HOUSE VISITATION Attorney Brewer appeared by video for Plaintiff. Plaintiff appeared by video. The Court noted that Defendant was neither present nor represented by counsel. However, it was the Court's understanding that he did try to appear so the Court will not assume that he does not have some sort of technological issue. The Court noted that the parties had been having Donna's House visitations but there have been very few and there was still the pending T case that was in effect until November. COURT ORDERED: As the Defendant did not file his FDF which was due by July 28th, and the Court warned him that it would enter judgment in the amount of \$100.00 to the Plaintiff if he failed to do so, it is so Ordered. The Donna's House visitations are extended for 60 days. Order for Supervised Visitation SIGNED AND FILED IN OPEN COURT. Parties referred to Family Mediation Center (FMC). Order for FMC SIGNED AND FILED IN OPEN COURT. FMC/Donna's House return hearing SET for 11/10/20 at 2:00 P.M. Counsel shall prepare the Order.;

06/02/2020



Case Management Conference (1:30 PM) (Judicial Officer: Pomrenze, Sandra)

06/02/2020, 07/14/2020

MINUTES

Reset due to virus concerns/issues

Matter Continued;

Referred to Donna's House;

Journal Entry Details:

CASE MANAGEMENT CONFERENCE Attorney Brewer appeared by video on behalf of Plaintiff. Plaintiff and Defendant appeared by video. Argument by counsel. COURT ORDERED: Defendant shall file his Financial Disclosure Form (FDF) within the next two weeks or the Court shall sanction Defendant in the amount of \$100.00 payable to the Plaintiff and the Court shall set dad's income at the Nevada Average Wage. Plaintiff shall have SOLE LEGAL CUSTODY and PRIMARY PHYSICAL CUSTODY. Commencing August 1, 2020, Defendant's visitation shall be at DONNA'S HOUSE each week on Saturdays from 1:00 P.M. to 2:00 P.M. for a period of no longer than 30 days. FEES WAIVED. Order for Supervised Visitations SIGNED AND FILED IN OPEN COURT. Both parties shall complete their orientations before dad's visits begin on August 1st. Return Hearing SET for 9/8/20 at 2:00 P.M. (Re: Donna's House Visitations) Counsel shall prepare the Order from today's hearing.;

Reset due to virus concerns/issues

Matter Continued;

Referred to Donna's House;

Journal Entry Details:

CASE MANAGEMENT CONFERENCE - MINUTE ORDER NO HEARING HELD This matter was set and noticed for a Case Management Conference to be held on June 2, 2020 at 1:30 p.m. Upon Court s review, the Court observed that neither party has filed a Financial Disclosure Form (FDF). Therefore, COURT ORDERS, the Case Management Conference is CONTINUED TO JULY14, 2020 @ 1:30 P.M. COURT FURTHER ORDERS, FDF s are to be filed and served no later than JUNE 10, 2020.;

01/27/2020

Summons

Salvatierra, Walter Geoffrey

Served: 02/01/2020

Heather S. Smith
CLERK OF THE COURT

DECD
KRISTINE BREWER, ESQ.
Nevada Bar No.: 8387
LEGAL AID CENTER OF SOUTHERN NEVADA, INC.
725 E. Charleston Blvd.
Las Vegas, NV 89104
(702) 386-1504 Direct/Fax
(702) 386-1070 ext. 1504
kbrewer@lacsns.org
Attorney for Plaintiff

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

MARLENE DIANA SALVATIERRA,)	
)	
Plaintiff,)	Case No.: D-20-602675-D
)	
vs.)	Dept. No.: P
)	
WALTER GEOFFREY SALVATIERRA,)	Date of Hearing: May 19, 2021
)	Time of Hearing: 1:30 p.m.
Defendant.)	
)	
)	

DECREE OF DIVORCE

This matter having come on for an Evidentiary Hearing before the above-entitled Court; the Plaintiff, MARLENE DIANA SALVATIERRA,, represented by counsel, Kristine Brewer, Esq. of Legal Aid Center of Southern Nevada, Inc., and the Defendant, WALTER GEOFFREY SALVATIERRA, not appearing, and after taking testimony reviewing the pleadings and papers on file, jurisdiction and residency having been established,

THE COURT HEREBY FINDS AS FOLLOWS:

That the Court has complete jurisdiction in the premises, both as to the subject matter thereof as well as the parties hereto, that Plaintiff is now and has been an actual bona fide resident of Clark County, Nevada and has been actually domiciled therein for more than six (6) weeks immediately preceding the commencement of this action and that the parties were married on the 28th day of August, 2010, in Las Vegas, Nevada. That there are there are two (2) minor children who are the issue of this marriage to wit: SEBASTIAN WALTER SALVATIERRA, born

1 February 2, 2012; and DIANA ALANI SALVATIERRA born January 4, 2014. That Nevada is
2 the home state of the minor children. There are no other children of the parties and Plaintiff is not
3 currently pregnant.

4 Now therefore, **IT IS ORDERED, ADJUDGED AND DECREED** that the bonds of
5 matrimony now and heretofore existing between the parties are hereby wholly dissolved, set aside
6 and forever held for naught and an absolute Decree of Divorce is hereby granted to the parties and
7 each of the parties are hereby restored to the status of a single, unmarried person.

8 **IT IS ORDERED, ADJUDGED AND DECREED** that the Plaintiff is awarded sole
9 legal custody of the minor children.

10 **IT IS ORDERED, ADJUDGED AND DECREED** that the Plaintiff is awarded sole
11 physical custody of the minor children.

12 **IT IS ORDERED, ADJUDGED AND DECREED** that the Defendant's visitation with
13 the minor children is at Plaintiff's sole discretion.

14 **IT IS ORDERED, ADJUDGED AND DECREED** that the Defendant will be able to
15 petition to start the process for reunification with the minor children once he is released from
16 prison.

17 **IT IS ORDERED, ADJUDGED AND DECREED** that the Defendant will have to prove
18 six consecutive months of sobriety through the Patch Program once he is released from prison.

19 **IT IS ORDERED, ADJUDGED AND DECREED** that if the Defendant wants a
20 visitation schedule with the minor children he can file a Motion with the Court.

21 **IT IS ORDERED, ADJUDGED AND DECREED** that child support from Defendant
22 to Plaintiff should be set stayed at zero dollars per month beginning April 1, 2021 and continuing
23 until the last day of the month following Defendant's release from prison. That begin the first
24 month following the release of Defendant from prison child support shall be set at 22% of his
25 gross income.

26 **IT IS ORDERED, ADJUDGED AND DECREED** that there are constructive child
27 support arrearages owing from Defendant to Plaintiff for November 1, 2019 through March 31,
28 2021. That Defendant has not filed a Financial Disclosure Form in the instant case. Based on

1 Plaintiff's personal knowledge of Defendant's earnings during their marriage Defendant earned
2 approximately \$5,000 per month. Therefore, pursuant to NAC 425 child support should be set at
3 \$1,100.00 per month beginning November 1, 2019 through March 31, 2021 which is $\$1,100 \times 17$
4 = \$18,700.

5 That the child support arrearages of \$18,700 will be offset by the past mortgage due and
6 owing to the mortgage company on the marital as described below. Thus, Defendant will not pay
7 any out of pocket child support to Plaintiff until the first month following the month that he is
8 released from prison.

9 **IT IS ORDERED, ADJUDGED AND DECREED** that the minor child DIANA has
10 special needs. That pursuant to NRS 125B.110, Defendant shall pay child support to MARLENE
11 for the benefit of DIANA past the age of majority because DIANA will continue to have special
12 needs past the age of her minority. Due to her handicap she will be unable to be self-supporting.¹
13 Said child support shall continue indefinitely.

14 **IT IS ORDERED, ADJUDGED AND DECREED** that the minor children shall attend
15 the public school in which Plaintiff's residence is zoned.

16 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Plaintiff shall
17 maintain health insurance for the minor children for as long as so long as it is available through
18 her employer.

19 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that any unreimbursed
20 medical, dental, optical, orthodontic or other health related expense incurred for the benefit of the
21 minor child/children is to be divided equally between the parties. Either party incurring an out of
22 pocket medical expense for the child/children shall provide a copy of the paid invoice/receipt to
23 the other party within thirty days of incurring such expense, if not tendered within the thirty day
24 period, the Court may consider it as a waiver of reimbursement. The other party will then have
25 thirty days from receipt within which to dispute the expense in writing or reimburse the incurring

26
27
28 ¹ See NRS 125B.110.

1 party for one-half of the out of pocket expense, if not disputed or paid within the thirty day period,
2 the party may be subject to a finding of contempt and appropriate sanctions.

3 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Plaintiff shall
4 receive the IRS tax exemption including but not limited to the Child Tax Credit, the Advance
5 Payment of Child Tax Credit^[1] as well as any other IRS benefit for the minor children beginning
6 with tax year 2020 and continue until the minor children turns 18, graduates from high school or
7 otherwise emancipates.

8 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the Plaintiff shall
9 receive 100% of any Recovery Rebates to Individuals *aka* stimulus checks received for the benefit
10 of the minor child.^[2]

11 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that pursuant to NRS
12 125B.145, that child support may be reviewed by the Court every three (3) years and that either
13 party has the right to request the Court to make this review, or the Nevada State Welfare Division,
14 or the District Attorney's Office, if the Division of the District Attorney has jurisdiction over the
15 case.

16 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that there shall be a
17 wage assignment for child support pursuant to NRS 31A.250 and NRS 125.450, to attach any
18 sums that may be earned by Defendant to satisfy Defendant's child support obligations.

19 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that each party shall
20 submit the information required in NRS 125B.055, NRS 125.130 and NRS 125.230 on a separate
21 form to the Court and the Welfare Division of the Department of Human Resources within ten
22 (10) days from the date this Decree is filed. Such information shall be maintained by the Clerk
23 in a confidential manner and not part of the public record. The parties shall update the information

24
25
26
27 ^[1] See American Rescue Plan Act of 2021 Sec. 9611 Child Tax Credit
Improvements for 2021 and Sec. 7527A. Advance Payment of Child Tax Credit.

28 ^[2] See American Rescue Plan Act of 2021 Sec. 6428B. 2021 Recovery Rebates to
Individuals

1 filed with the Court and the Welfare Division of the Department of Human Resources within ten
2 (10) days should any of that information be inaccurate.

3 **STATUTORY PROVISIONS:**

4 **IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED** that both
5 parties shall be bound by the provisions of NRS 125C.006, which states:

6 1. If primary physical custody has been established pursuant to an order, judgment
7 or decree of a court and the custodial parent intends to relocate his or her
8 residence to a place outside of this State or to a place within this State that is at
9 such a distance that would substantially impair the ability of the other parent to
maintain a meaningful relationship with the child, and the custodial parent desires
to take the child with him or her, the custodial parent shall, before relocating:

10 (a) Attempt to obtain the written consent of the noncustodial parent to
relocate with the child; and

11 (b) If the noncustodial parent refuses to give that consent, petition the
court for permission to relocate with the child.

12 2. The court may award reasonable attorney's fees and costs to the custodial
13 parent if the court finds that the noncustodial parent refused to consent to the
custodial parent's relocation with the child:

14 (a) Without having reasonable grounds for such refusal; or

15 (b) For the purpose of harassing the custodial parent.

16 3. A parent who relocates with a child pursuant to this section without the written
17 consent of the noncustodial parent or the permission of the court is subject to the
provisions of NRS 200.359.

18 **IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED** that both
19 parties shall be bound by the provisions of NRS 125C.0065, which states:

20 1. If joint physical custody has been established pursuant to an order, judgment or
21 decree of a court and one parent intends to relocate his or her residence to a place
22 outside of this State or to a place within this State that is at such a distance that
23 would substantially impair the ability of the other parent to maintain a meaningful
relationship with the child, and the relocating parent desires to take the child with
him or her, the relocating parent shall, before relocating:

24 (a) Attempt to obtain the written consent of the non-relocating parent to
relocate with the child; and

25 (b) If the non-relocating parent refuses to give that consent, petition the
26 court for primary physical custody for the purpose of relocating.

1 2. The court may award reasonable attorney's fees and costs to the relocating
2 parent if the court finds that the non-relocating parent refused to consent to the
3 relocating parent's relocation with the child:

- 4 (a) Without having reasonable grounds for such refusal; or
5 (b) For the purpose of harassing the relocating parent.

6 3. A parent who relocates with a child pursuant to this section before the court
7 enters an order granting the parent primary physical custody of the child and
8 permission to relocate with the child is subject to the provisions of NRS 200.359.

9 **IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED** that both
10 parties shall be bound by the provisions of NRS 125C.0045 (6), which states:

11 PENALTY FOR VIOLATION OF ORDER: THE ABDUCTION,
12 CONCEALMENT OR DETENTION OF A CHILD IN VIOLATION OF THIS
13 ORDER IS PUNISHABLE AS A CATEGORY D FELONY AS PROVIDED IN
14 NRS 193.130. NRS 200.359 provides that every person having a limited right of
15 custody to a child or any parent having no right of custody to the child who
16 willfully detains, conceals or removes the child from a parent, guardian or other
17 person having lawful custody or a right of visitation of the child in violation of an
18 order of this court, or removes the child from the jurisdiction of the court without
19 the consent of either the court or all persons who have the right to custody or
20 visitation is subject to being punished for a category D felony as provided in NRS
21 193.130.

22 **IT IS HEREBY FURTHER ORDERED** that, pursuant to NRS 125C.0045 (7) and (8),
23 as amended by AB No. 263, Section 10, the terms of the Hague Convention of October 25, 1980,
24 adopted by the 14th Session of the Hague Conference on Private International Law, apply if a
25 parent abducts or wrongfully retains a child in a foreign country.

26 **IT IS HEREBY FURTHER ORDERED** that the minor children's habitual residence is
27 located in the County of Clark, State of Nevada, within the United States of America, specifically
28 provide as follows:

Section 7. In addition to the language required pursuant to subsection 6, all orders
authorized by this section must specify that the terms of the Hague Convention of
October 25, 1980, adopted by the 14th Session of the Hague Conference on Private
International Law, apply if a parent abducts or wrongfully retains a child in a foreign
country.

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

- 1 (a) The parties may agree, and the Court shall include in the Order for
2 custody of the child, that the United States is the country of habitual
3 residence of the child for the purposes of applying the terms of the
4 Hague Convention as set forth in subsection 7.
5 (b) Upon motion of one of the parties, the Court may order the parent to
6 post a bond if the Court determines that the parent poses an imminent
7 risk of wrongfully removing or concealing the child outside the
8 country of habitual residence. The bond must be in an amount
9 determined by the Court and may be used only to pay for the cost of
10 locating the child and returning him to his habitual residence if the
11 child is wrongfully removed from or concealed outside the country of
12 habitual residence. The fact that a parent has significant commitments
13 in a foreign country does not create a presumption that the parent
14 poses an imminent risk of wrongfully removing or concealing the
15 child.

16 **NOTICE:** If you want to adjust the amount of child support established in this
17 order, you **MUST** file a motion to modify the order with or submit a stipulation to
18 the court. If a motion to modify the order is not filed or a stipulation is not
19 submitted, the child support obligation established in this order will continue until
20 such time as all children who are the subject of this order reach 18 years of age or,
21 if the youngest child who is subject to this order is still in high school when he or
22 she reaches 18 years of age, when the child graduates from high school or reaches
23 19 years of age, whichever comes first. Unless parties agree otherwise in a
24 stipulation, any modification made pursuant to a motion to modify the order will
25 be effective as of the date the motion was filed.²

26 Therefore **IT IS ORDERED, ADJUDGED AND DECREED** that during the course of
27 said marriage, the tastes, mental disposition, views, likes and dislikes of Plaintiff and Defendant
28 have become so widely divergent that the parties have become incompatible in marriage to such
an extent that it is impossible for them to live together as husband and wife; that the incompatibility
between Plaintiff and Defendant is so great that there is no possibility of reconciliation between
them.

29 **IT IS HEREBY ORDERED ADJUDGED AND DECREED** that there is community
property to be adjudicated by the Court as follows:

30 That MARLENE will keep the following as her sole and separate property free from any
31 claim by WALTER:

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² Approved Regulation R-183-18.

- a. Any and all personal property in Plaintiff's possession including but not limited to clothing, jewelry, furniture and household items;
- b. The marital residence located at and commonly known as 4616 Hearts Desire Avenue, Las Vegas, Nevada 89115 subject to the terms and conditions below.
- c. 100% of the value of the Bank of America Account in MARLENE's name only ending in 5353 with an approximate balance of \$100.00.
- d. 100% of the value of any other bank accounts not specifically listed.
- e. 100% of the Life Insurance Police for spouse with Sun Life Company Police # ending in 0360 in the amount of \$160,000.
- f. The 401k in her name only subject to WALTER's community property interest.

That WALTER will keep the following as his sole and separate property free from any claim by MARLENE:

- a. Any and all personal property in Defendant's possession including but not limited to clothing, jewelry, furniture and appliances;

IT IS HEREBY ORDERED ADJUDGED AND DECREED that MARLENE is granted exclusive possession of the marital residence located at and commonly known as 4616 Hearts Desire Avenue, Las Vegas, Nevada 89115. That due to COVID MARLENE has been unable to pay the mortgage of \$1,004.19 per month. The mortgage payments are currently in forbearance. That MARLENE may stay in the home so long as the mortgage is in forbearance with Carrington or for 24 months following the date of the Notice of Entry of Decree of Divorce whichever is first. Once the first triggering event occurs, MARLENE will have 60 days to refinance the residence. The date that will be used for the marital residence's appraisal is May 19, 2021. If MARLENE is able to refinance, the amount of mortgage payments in forbearance will be satisfied and then WALTER will receive his equity. If MARLENE is unable to refinance the marital residence, it will be placed for sale within 5 days of the expiration of the 30 days to refinance. MARLENE will be able to pick a realtor of her choice. That MARLENE shall be able to complete the sale of the residence without WALTER's signature. Once the home is sold. First, the total amount of mortgage payments in forbearance will be satisfied. Then the equity based on the appraisal date

1 of May 19, 2021 will be divided after all closing costs and expenses associated with the sale of the
2 house. Any additional equity or deficiency from the date of May 19, 2021 will be awarded to
3 MARLENE as her sole and separate property.

4 Since November 2019, WALTER has not contributed to any of the expenses associated
5 with the marital residence including but not limited to the mortgage, HOA expenses, utilities,
6 maintenance, etc.

7 That based on information and belief the approximate value of the marital residence on the
8 May 19, 2021 is approximately \$302,000 and the approximate principal on the mortgage on May
9 19, 2021 due is \$153,839.29

10 **IT IS HEREBY ORDERED ADJUDGED AND DECREED** that WALTER is granted
11 his community property interest in MARLENE's 401k subject to the time rule pursuant to *Gemma*
12 *Fondi*. That the date is measured by the date of marriage August 10, 2010 and the ending date is
13 May 19, 2021. That MARLENE will receive the loan on the 401k as her sole and separate debt.

14 That the parties shall retain QDRO Masters within 30 days of the Notice of Entry of Decree
15 of Divorce for the purposes of drafting the QDRO. That is customary for the retainer to be divided
16 evenly, however, MARLENE will be responsible for WALTER's portion of the retainer for QDRO
17 Masters.

18 **IT IS HEREBY ORDERED ADJUDGED AND DECREED** that the parties agree to
19 cooperate to execute all necessary paperwork within 30 days of the Notice of Entry of Decree of
20 Divorce to effectuate the transfer of the above-referenced property.

21 **IT IS HEREBY ORDERED ADJUDGED AND DECREED** that the Plaintiff is granted
22 Power of Attorney aka Attorney in Fact to be able to sign any necessary paperwork to transfer the
23 property herein.

24 **IT IS HEREBY ORDERED ADJUDGED AND DECREED** that there is community
25 debt to be adjudicated by the Court as follows:

26 That MARLENE will keep the following as her sole and separate debt and indemnify and
27 hold WALTER harmless:

- 28 a. 100% of all credit cards in her name only.
b. All debts in her name only.

1 That WALTER will keep the following as his sole and separate debt and indemnify and
2 hold MARLENE harmless:

- 3 a. That after the parties separated in November 2019, WALTER took the . He
4 took the 2015 Nissan Altima; he failed to make the payments on the vehicle
5 and it was repossessed. WALTER shall be 100% responsible for the balance
6 of \$5,328 due and owing to GM Financial.
7 b. 100% of all credit cards in his name only.
8 c. All debts in his name only.

9 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that neither party is
10 awarded spousal support.

11 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Plaintiff may return
12 to her maiden name of "NARVAEZ."

13 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that each party shall
14 submit the information required in NRS 125B.055, NRS 125.130 and NRS 125.230 on a separate
15 form to the Court and the Welfare Division of the Department of Human Resources within ten (10)
16 days from the date this Decree is filed. Such information shall be maintained by the Clerk in a
17 confidential manner and not part of the public record. The parties shall update the information
18 filed with the Court and the Welfare Division of the Department of Human Resources within ten
(10) days should any of that information be inaccurate.

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1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 Marlene Diana Salvatierra,
7 Plaintiff

CASE NO: D-20-602675-D

8 vs.

DEPT. NO. Department P

9 Walter Geoffrey Salvatierra,
10 Defendant.

11 **AUTOMATED CERTIFICATE OF SERVICE**

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

15 Service Date: 9/2/2021

16 Earlean Nelson-Deal

enelson-deal@lacsns.org

17 Aileen Yeo

AYeo@lacsns.org

18 Kristine Brewer, Esq.

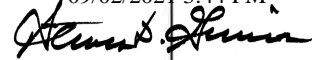
kbrewer@lacsns.org

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Walter Sebastian Salvatierra
3101 Parkdale Cir.
Las Vegas, NV 89121
Defendant in Proper Person


An Employee of LEGAL AID CENTER OF SOUTHERN NEVADA, INC.


CLERK OF THE COURT

DECD
KRISTINE BREWER, ESQ.
Nevada Bar No.: 8387
LEGAL AID CENTER OF SOUTHERN NEVADA, INC.
725 E. Charleston Blvd.
Las Vegas, NV 89104
(702) 386-1504 Direct/Fax
(702) 386-1070 ext. 1504
kbrewer@lacsnc.org
Attorney for Plaintiff

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

MARLENE DIANA SALVATIERRA,)	
)	
Plaintiff,)	Case No.: D-20-602675-D
)	
vs.)	Dept. No.: P
)	
WALTER GEOFFREY SALVATIERRA,)	Date of Hearing: May 19, 2021
)	Time of Hearing: 1:30 p.m.
Defendant.)	
)	
)	

DECREE OF DIVORCE

This matter having come on for an Evidentiary Hearing before the above-entitled Court; the Plaintiff, MARLENE DIANA SALVATIERRA,, represented by counsel, Kristine Brewer, Esq. of Legal Aid Center of Southern Nevada, Inc., and the Defendant, WALTER GEOFFREY SALVATIERRA, not appearing, and after taking testimony reviewing the pleadings and papers on file, jurisdiction and residency having been established,

THE COURT HEREBY FINDS AS FOLLOWS:

That the Court has complete jurisdiction in the premises, both as to the subject matter thereof as well as the parties hereto, that Plaintiff is now and has been an actual bona fide resident of Clark County, Nevada and has been actually domiciled therein for more than six (6) weeks immediately preceding the commencement of this action and that the parties were married on the 28th day of August, 2010, in Las Vegas, Nevada. That there are there are two (2) minor children who are the issue of this marriage to wit: SEBASTIAN WALTER SALVATIERRA, born

1 February 2, 2012; and DIANA ALANI SALVATIERRA born January 4, 2014. That Nevada is
2 the home state of the minor children. There are no other children of the parties and Plaintiff is not
3 currently pregnant.

4 Now therefore, **IT IS ORDERED, ADJUDGED AND DECREED** that the bonds of
5 matrimony now and heretofore existing between the parties are hereby wholly dissolved, set aside
6 and forever held for naught and an absolute Decree of Divorce is hereby granted to the parties and
7 each of the parties are hereby restored to the status of a single, unmarried person.

8 **IT IS ORDERED, ADJUDGED AND DECREED** that the Plaintiff is awarded sole
9 legal custody of the minor children.

10 **IT IS ORDERED, ADJUDGED AND DECREED** that the Plaintiff is awarded sole
11 physical custody of the minor children.

12 **IT IS ORDERED, ADJUDGED AND DECREED** that the Defendant's visitation with
13 the minor children is at Plaintiff's sole discretion.

14 **IT IS ORDERED, ADJUDGED AND DECREED** that the Defendant will be able to
15 petition to start the process for reunification with the minor children once he is released from
16 prison.

17 **IT IS ORDERED, ADJUDGED AND DECREED** that the Defendant will have to prove
18 six consecutive months of sobriety through the Patch Program once he is released from prison.

19 **IT IS ORDERED, ADJUDGED AND DECREED** that if the Defendant wants a
20 visitation schedule with the minor children he can file a Motion with the Court.

21 **IT IS ORDERED, ADJUDGED AND DECREED** that child support from Defendant
22 to Plaintiff should be set stayed at zero dollars per month beginning April 1, 2021 and continuing
23 until the last day of the month following Defendant's release from prison. That begin the first
24 month following the release of Defendant from prison child support shall be set at 22% of his
25 gross income.

26 **IT IS ORDERED, ADJUDGED AND DECREED** that there are constructive child
27 support arrearages owing from Defendant to Plaintiff for November 1, 2019 through March 31,
28 2021. That Defendant has not filed a Financial Disclosure Form in the instant case. Based on

1 Plaintiff's personal knowledge of Defendant's earnings during their marriage Defendant earned
2 approximately \$5,000 per month. Therefore, pursuant to NAC 425 child support should be set at
3 \$1,100.00 per month beginning November 1, 2019 through March 31, 2021 which is $\$1,100 \times 17$
4 = \$18,700.

5 That the child support arrearages of \$18,700 will be offset by the past mortgage due and
6 owing to the mortgage company on the marital as described below. Thus, Defendant will not pay
7 any out of pocket child support to Plaintiff until the first month following the month that he is
8 released from prison.

9 **IT IS ORDERED, ADJUDGED AND DECREED** that the minor child DIANA has
10 special needs. That pursuant to NRS 125B.110, Defendant shall pay child support to MARLENE
11 for the benefit of DIANA past the age of majority because DIANA will continue to have special
12 needs past the age of her minority. Due to her handicap she will be unable to be self-supporting.¹
13 Said child support shall continue indefinitely.

14 **IT IS ORDERED, ADJUDGED AND DECREED** that the minor children shall attend
15 the public school in which Plaintiff's residence is zoned.

16 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Plaintiff shall
17 maintain health insurance for the minor children for as long as so long as it is available through
18 her employer.

19 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that any unreimbursed
20 medical, dental, optical, orthodontic or other health related expense incurred for the benefit of the
21 minor child/children is to be divided equally between the parties. Either party incurring an out of
22 pocket medical expense for the child/children shall provide a copy of the paid invoice/receipt to
23 the other party within thirty days of incurring such expense, if not tendered within the thirty day
24 period, the Court may consider it as a waiver of reimbursement. The other party will then have
25 thirty days from receipt within which to dispute the expense in writing or reimburse the incurring

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28 ¹ See NRS 125B.110.

1 party for one-half of the out of pocket expense, if not disputed or paid within the thirty day period,
2 the party may be subject to a finding of contempt and appropriate sanctions.

3 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Plaintiff shall
4 receive the IRS tax exemption including but not limited to the Child Tax Credit, the Advance
5 Payment of Child Tax Credit^[1] as well as any other IRS benefit for the minor children beginning
6 with tax year 2020 and continue until the minor children turns 18, graduates from high school or
7 otherwise emancipates.

8 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the Plaintiff shall
9 receive 100% of any Recovery Rebates to Individuals *aka* stimulus checks received for the benefit
10 of the minor child.^[2]

11 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that pursuant to NRS
12 125B.145, that child support may be reviewed by the Court every three (3) years and that either
13 party has the right to request the Court to make this review, or the Nevada State Welfare Division,
14 or the District Attorney's Office, if the Division of the District Attorney has jurisdiction over the
15 case.

16 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that there shall be a
17 wage assignment for child support pursuant to NRS 31A.250 and NRS 125.450, to attach any
18 sums that may be earned by Defendant to satisfy Defendant's child support obligations.

19 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that each party shall
20 submit the information required in NRS 125B.055, NRS 125.130 and NRS 125.230 on a separate
21 form to the Court and the Welfare Division of the Department of Human Resources within ten
22 (10) days from the date this Decree is filed. Such information shall be maintained by the Clerk
23 in a confidential manner and not part of the public record. The parties shall update the information

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27 ^[1] See American Rescue Plan Act of 2021 Sec. 9611 Child Tax Credit
Improvements for 2021 and Sec. 7527A. Advance Payment of Child Tax Credit.

28 ^[2] See American Rescue Plan Act of 2021 Sec. 6428B. 2021 Recovery Rebates to
Individuals

1 filed with the Court and the Welfare Division of the Department of Human Resources within ten
2 (10) days should any of that information be inaccurate.

3 **STATUTORY PROVISIONS:**

4 **IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED** that both
5 parties shall be bound by the provisions of NRS 125C.006, which states:

6 1. If primary physical custody has been established pursuant to an order, judgment
7 or decree of a court and the custodial parent intends to relocate his or her
8 residence to a place outside of this State or to a place within this State that is at
9 such a distance that would substantially impair the ability of the other parent to
maintain a meaningful relationship with the child, and the custodial parent desires
to take the child with him or her, the custodial parent shall, before relocating:

10 (a) Attempt to obtain the written consent of the noncustodial parent to
relocate with the child; and

11 (b) If the noncustodial parent refuses to give that consent, petition the
court for permission to relocate with the child.

12 2. The court may award reasonable attorney's fees and costs to the custodial
13 parent if the court finds that the noncustodial parent refused to consent to the
custodial parent's relocation with the child:

14 (a) Without having reasonable grounds for such refusal; or

15 (b) For the purpose of harassing the custodial parent.

16 3. A parent who relocates with a child pursuant to this section without the written
17 consent of the noncustodial parent or the permission of the court is subject to the
provisions of NRS 200.359.

18 **IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED** that both
19 parties shall be bound by the provisions of NRS 125C.0065, which states:

20 1. If joint physical custody has been established pursuant to an order, judgment or
21 decree of a court and one parent intends to relocate his or her residence to a place
22 outside of this State or to a place within this State that is at such a distance that
would substantially impair the ability of the other parent to maintain a meaningful
23 relationship with the child, and the relocating parent desires to take the child with
him or her, the relocating parent shall, before relocating:

24 (a) Attempt to obtain the written consent of the non-relocating parent to
relocate with the child; and

25 (b) If the non-relocating parent refuses to give that consent, petition the
26 court for primary physical custody for the purpose of relocating.

1 2. The court may award reasonable attorney's fees and costs to the relocating
2 parent if the court finds that the non-relocating parent refused to consent to the
3 relocating parent's relocation with the child:

- 4 (a) Without having reasonable grounds for such refusal; or
5 (b) For the purpose of harassing the relocating parent.

6 3. A parent who relocates with a child pursuant to this section before the court
7 enters an order granting the parent primary physical custody of the child and
8 permission to relocate with the child is subject to the provisions of NRS 200.359.

9 **IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED** that both
10 parties shall be bound by the provisions of NRS 125C.0045 (6), which states:

11 PENALTY FOR VIOLATION OF ORDER: THE ABDUCTION,
12 CONCEALMENT OR DETENTION OF A CHILD IN VIOLATION OF THIS
13 ORDER IS PUNISHABLE AS A CATEGORY D FELONY AS PROVIDED IN
14 NRS 193.130. NRS 200.359 provides that every person having a limited right of
15 custody to a child or any parent having no right of custody to the child who
16 willfully detains, conceals or removes the child from a parent, guardian or other
17 person having lawful custody or a right of visitation of the child in violation of an
18 order of this court, or removes the child from the jurisdiction of the court without
19 the consent of either the court or all persons who have the right to custody or
20 visitation is subject to being punished for a category D felony as provided in NRS
21 193.130.

22 **IT IS HEREBY FURTHER ORDERED** that, pursuant to NRS 125C.0045 (7) and (8),
23 as amended by AB No. 263, Section 10, the terms of the Hague Convention of October 25, 1980,
24 adopted by the 14th Session of the Hague Conference on Private International Law, apply if a
25 parent abducts or wrongfully retains a child in a foreign country.

26 **IT IS HEREBY FURTHER ORDERED** that the minor children's habitual residence is
27 located in the County of Clark, State of Nevada, within the United States of America, specifically
28 provide as follows:

Section 7. In addition to the language required pursuant to subsection 6, all orders
authorized by this section must specify that the terms of the Hague Convention of
October 25, 1980, adopted by the 14th Session of the Hague Conference on Private
International Law, apply if a parent abducts or wrongfully retains a child in a foreign
country.

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

- 1 (a) The parties may agree, and the Court shall include in the Order for
2 custody of the child, that the United States is the country of habitual
3 residence of the child for the purposes of applying the terms of the
4 Hague Convention as set forth in subsection 7.
5 (b) Upon motion of one of the parties, the Court may order the parent to
6 post a bond if the Court determines that the parent poses an imminent
7 risk of wrongfully removing or concealing the child outside the
8 country of habitual residence. The bond must be in an amount
9 determined by the Court and may be used only to pay for the cost of
10 locating the child and returning him to his habitual residence if the
11 child is wrongfully removed from or concealed outside the country of
12 habitual residence. The fact that a parent has significant commitments
13 in a foreign country does not create a presumption that the parent
14 poses an imminent risk of wrongfully removing or concealing the
15 child.

16 **NOTICE:** If you want to adjust the amount of child support established in this
17 order, you **MUST** file a motion to modify the order with or submit a stipulation to
18 the court. If a motion to modify the order is not filed or a stipulation is not
19 submitted, the child support obligation established in this order will continue until
20 such time as all children who are the subject of this order reach 18 years of age or,
21 if the youngest child who is subject to this order is still in high school when he or
22 she reaches 18 years of age, when the child graduates from high school or reaches
23 19 years of age, whichever comes first. Unless parties agree otherwise in a
24 stipulation, any modification made pursuant to a motion to modify the order will
25 be effective as of the date the motion was filed.²

26 Therefore **IT IS ORDERED, ADJUDGED AND DECREED** that during the course of
27 said marriage, the tastes, mental disposition, views, likes and dislikes of Plaintiff and Defendant
28 have become so widely divergent that the parties have become incompatible in marriage to such
an extent that it is impossible for them to live together as husband and wife; that the incompatibility
between Plaintiff and Defendant is so great that there is no possibility of reconciliation between
them.

IT IS HEREBY ORDERED ADJUDGED AND DECREED that there is community
property to be adjudicated by the Court as follows:

That MARLENE will keep the following as her sole and separate property free from any
claim by WALTER:

² Approved Regulation R-183-18.

- a. Any and all personal property in Plaintiff's possession including but not limited to clothing, jewelry, furniture and household items;
- b. The marital residence located at and commonly known as 4616 Hearts Desire Avenue, Las Vegas, Nevada 89115 subject to the terms and conditions below.
- c. 100% of the value of the Bank of America Account in MARLENE's name only ending in 5353 with an approximate balance of \$100.00.
- d. 100% of the value of any other bank accounts not specifically listed.
- e. 100% of the Life Insurance Police for spouse with Sun Life Company Police # ending in 0360 in the amount of \$160,000.
- f. The 401k in her name only subject to WALTER's community property interest.

That WALTER will keep the following as his sole and separate property free from any claim by MARLENE:

- a. Any and all personal property in Defendant's possession including but not limited to clothing, jewelry, furniture and appliances;

IT IS HEREBY ORDERED ADJUDGED AND DECREED that MARLENE is granted exclusive possession of the marital residence located at and commonly known as 4616 Hearts Desire Avenue, Las Vegas, Nevada 89115. That due to COVID MARLENE has been unable to pay the mortgage of \$1,004.19 per month. The mortgage payments are currently in forbearance. That MARLENE may stay in the home so long as the mortgage is in forbearance with Carrington or for 24 months following the date of the Notice of Entry of Decree of Divorce whichever is first. Once the first triggering event occurs, MARLENE will have 60 days to refinance the residence. The date that will be used for the marital residence's appraisal is May 19, 2021. If MARLENE is able to refinance, the amount of mortgage payments in forbearance will be satisfied and then WALTER will receive his equity. If MARLENE is unable to refinance the marital residence, it will be placed for sale within 5 days of the expiration of the 30 days to refinance. MARLENE will be able to pick a realtor of her choice. That MARLENE shall be able to complete the sale of the residence without WALTER's signature. Once the home is sold. First, the total amount of mortgage payments in forbearance will be satisfied. Then the equity based on the appraisal date

1 of May 19, 2021 will be divided after all closing costs and expenses associated with the sale of the
2 house. Any additional equity or deficiency from the date of May 19, 2021 will be awarded to
3 MARLENE as her sole and separate property.

4 Since November 2019, WALTER has not contributed to any of the expenses associated
5 with the marital residence including but not limited to the mortgage, HOA expenses, utilities,
6 maintenance, etc.

7 That based on information and belief the approximate value of the marital residence on the
8 May 19, 2021 is approximately \$302,000 and the approximate principal on the mortgage on May
9 19, 2021 due is \$153,839.29

10 **IT IS HEREBY ORDERED ADJUDGED AND DECREED** that WALTER is granted
11 his community property interest in MARLENE's 401k subject to the time rule pursuant to *Gemma*
12 *Fondi*. That the date is measured by the date of marriage August 10, 2010 and the ending date is
13 May 19, 2021. That MARLENE will receive the loan on the 401k as her sole and separate debt.

14 That the parties shall retain QDRO Masters within 30 days of the Notice of Entry of Decree
15 of Divorce for the purposes of drafting the QDRO. That is customary for the retainer to be divided
16 evenly, however, MARLENE will be responsible for WALTER's portion of the retainer for QDRO
17 Masters.

18 **IT IS HEREBY ORDERED ADJUDGED AND DECREED** that the parties agree to
19 cooperate to execute all necessary paperwork within 30 days of the Notice of Entry of Decree of
20 Divorce to effectuate the transfer of the above-referenced property.

21 **IT IS HEREBY ORDERED ADJUDGED AND DECREED** that the Plaintiff is granted
22 Power of Attorney aka Attorney in Fact to be able to sign any necessary paperwork to transfer the
23 property herein.

24 **IT IS HEREBY ORDERED ADJUDGED AND DECREED** that there is community
25 debt to be adjudicated by the Court as follows:

26 That MARLENE will keep the following as her sole and separate debt and indemnify and
27 hold WALTER harmless:

- 28 a. 100% of all credit cards in her name only.
b. All debts in her name only.

1 That WALTER will keep the following as his sole and separate debt and indemnify and
2 hold MARLENE harmless:

- 3 a. That after the parties separated in November 2019, WALTER took the . He
4 took the 2015 Nissan Altima; he failed to make the payments on the vehicle
5 and it was repossessed. WALTER shall be 100% responsible for the balance
6 of \$5,328 due and owing to GM Financial.
7 b. 100% of all credit cards in his name only.
8 c. All debts in his name only.

9 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that neither party is
10 awarded spousal support.

11 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Plaintiff may return
12 to her maiden name of "NARVAEZ."

13 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that each party shall
14 submit the information required in NRS 125B.055, NRS 125.130 and NRS 125.230 on a separate
15 form to the Court and the Welfare Division of the Department of Human Resources within ten (10)
16 days from the date this Decree is filed. Such information shall be maintained by the Clerk in a
17 confidential manner and not part of the public record. The parties shall update the information
18 filed with the Court and the Welfare Division of the Department of Human Resources within ten
(10) days should any of that information be inaccurate.

19 ///

20 ///

21 ///

1 **CSERV**

2
3 **DISTRICT COURT**
4 **CLARK COUNTY, NEVADA**

5
6 **Marlene Diana Salvatierra,**
7 **Plaintiff**

CASE NO: D-20-602675-D

8 **vs.**

DEPT. NO. Department P

9 **Walter Geoffrey Salvatierra,**
10 **Defendant.**

11 **AUTOMATED CERTIFICATE OF SERVICE**

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

15 **Service Date: 9/2/2021**

16 **Earlean Nelson-Deal**

enelson-deal@lacsns.org

17 **Aileen Yeo**

AYeo@lacsns.org

18 **Kristine Brewer, Esq.**

kbrewer@lacsns.org

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

June 02, 2020

D-20-602675-D Marlene Diana Salvatierra, Plaintiff
vs.
Walter Geoffrey Salvatierra, Defendant.

**June 02, 2020 1:30 PM Case Management
Conference**

HEARD BY: Pomrenze, Sandra**COURTROOM:** Courtroom 10**COURT CLERK:** Carol Critchett**PARTIES:**

Diana Salvatierra, Subject Minor, not present	
Marlene Salvatierra, Plaintiff, Counter Defendant, not present	Kristine Brewer, Attorney, not present
Sebastian Salvatierra, Subject Minor, not present	
Walter Salvatierra, Defendant, Counter Claimant, not present	Pro Se

JOURNAL ENTRIES

- CASE MANAGEMENT CONFERENCE - MINUTE ORDER NO HEARING HELD

This matter was set and noticed for a Case Management Conference to be held on June 2, 2020 at 1:30 p.m. Upon Court's review, the Court observed that neither party has filed a Financial Disclosure Form (FDF). Therefore, COURT ORDERS, the Case Management Conference is CONTINUED TO JULY 14, 2020 @ 1:30 P.M. COURT FURTHER ORDERS, FDF's are to be filed and served no later than JUNE 10, 2020.

INTERIM CONDITIONS:**FUTURE HEARINGS:**

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

July 14, 2020

D-20-602675-D Marlene Diana Salvatierra, Plaintiff
vs.
Walter Geoffrey Salvatierra, Defendant.

**July 14, 2020 1:30 PM Case Management
Conference**

HEARD BY: Pomrenze, Sandra

COURTROOM: Courtroom 10

COURT CLERK: Helen Green

PARTIES:

Diana Salvatierra, Subject Minor, not present
Marlene Salvatierra, Plaintiff, Counter Kristine Brewer, Attorney, not present
Defendant, not present
Sebastian Salvatierra, Subject Minor, not present
Walter Salvatierra, Defendant, Counter Pro Se
Claimant, not present

JOURNAL ENTRIES

- CASE MANAGEMENT CONFERENCE

Attorney Brewer appeared by video on behalf of Plaintiff.
Plaintiff and Defendant appeared by video.

Argument by counsel.

COURT ORDERED:

Defendant shall file his Financial Disclosure Form (FDF) within the next two weeks or the Court shall sanction Defendant in the amount of \$100.00 payable to the Plaintiff and the Court shall set dad's income at the Nevada Average Wage.

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Plaintiff shall have SOLE LEGAL CUSTODY and PRIMARY PHYSICAL CUSTODY.

Commencing August 1, 2020, Defendant's visitation shall be at DONNA'S HOUSE each week on Saturdays from 1:00 P.M. to 2:00 P.M. for a period of no longer than 30 days. FEES WAIVED. Order for Supervised Visitations SIGNED AND FILED IN OPEN COURT. Both parties shall complete their orientations before dad's visits begin on August 1st.

Return Hearing SET for 9/8/20 at 2:00 P.M. (Re: Donna's House Visitations)

Counsel shall prepare the Order from today's hearing.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

September 08, 2020

D-20-602675-D	Marlene Diana Salvatierra, Plaintiff
	vs.
	Walter Geoffrey Salvatierra, Defendant.

September 08, 2020	2:00 PM	Return Hearing
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HEARD BY: Pomrenze, Sandra

COURTROOM: Courtroom 10

COURT CLERK: Helen Green

PARTIES:

Diana Salvatierra, Subject Minor, not present	
Marlene Salvatierra, Plaintiff, Counter Defendant, not present	Kristine Brewer, Attorney, not present
Sebastian Salvatierra, Subject Minor, not present	
Walter Salvatierra, Defendant, Counter Claimant, not present	Pro Se

JOURNAL ENTRIES

- RETURN HEARING: DONNA'S HOUSE VISITATION

Attorney Brewer appeared by video for Plaintiff.
Plaintiff appeared by video.

The Court noted that Defendant was neither present nor represented by counsel. However, it was the Court's understanding that he did try to appear so the Court will not assume that he does not have some sort of technological issue.

The Court noted that the parties had been having Donna's House visitations but there have been very few and there was still the pending T case that was in effect until November.

COURT ORDERED:

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As the Defendant did not file his FDF which was due by July 28th, and the Court warned him that it would enter judgment in the amount of \$100.00 to the Plaintiff if he failed to do so, it is so Ordered.

The Donna's House visitations are extended for 60 days. Order for Supervised Visitation SIGNED AND FILED IN OPEN COURT.

Parties referred to Family Mediation Center (FMC). Order for FMC SIGNED AND FILED IN OPEN COURT.

FMC/Donna's House return hearing SET for 11/10/20 at 2:00 P.M.

Counsel shall prepare the Order.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

November 10, 2020

D-20-602675-D Marlene Diana Salvatierra, Plaintiff
vs.
Walter Geoffrey Salvatierra, Defendant.

November 10, 2020 2:00 PM Return Hearing

HEARD BY: Pomrenze, Sandra**COURTROOM:** Courtroom 10**COURT CLERK:** Jefferyann Rouse**PARTIES:**

Diana Salvatierra, Subject Minor, not present

Marlene Salvatierra, Plaintiff, Counter

Defendant, present

Sebastian Salvatierra, Subject Minor, not present

Walter Salvatierra, Defendant, Counter

Claimant, present

Kristine Brewer, Attorney, present

Pro Se

JOURNAL ENTRIES

- RETURN HEARING: FMC/ DONNA'S HOUSE VISITATION

Due to Governor Sisolak's Stay Home for Nevada directive, Plaintiff/Mom appeared with her Attorney of Record Kristine Brewer for today's proceedings. Defendant/Dad was present in a pro se manner, both parties and counsel appeared via (bluejeans) audio equipment.

Upon the matter being called, the Court noted parties were unable to reach an agreement in mediation. The Court further the Temporary Protection Order issued in Case No, T-19-201413-T, expired last week.

Attorney Brewer represented she had reviewed the positive report from Donna's House visitation and advised the Court as to Plaintiff/Mom's request to have Defendant/Dad drug tested.

The Court noted review of the positive Donna's House report and concerns as to Plaintiff/Mom's

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request to have Dad drug tested.

The Court noted concerns as to the minor children spending time with their dad.

THE COURT ORDERED,

Defendant/Dad shall EXERCISE his CUSTODIAL TIMESHARE with the minor children from 12:00 noon on Saturday's until Sunday evening at 6:00 pm.

THE CUSTODIAL EXCHANGE shall occur OUTSIDE the FRONT DOOR of FAMILY COURT located at 601 N. Pecos Rd. Las Vegas, NV 89101.

Defendant/Dad shall have (1) RANDOM DRUG TEST the TEST shall be TAKEN at Plaintiff/Mom's discretion.

Defendant/Dad shall pay all COST associated with the DRUG TEST. If Defendant/Dad's DRUG TEST RESULTS are NEGATIVE for all SUBSTANCES Defendant/Dad shall be REIMBURSED by Plaintiff/Mom for all COST associated with the drug test.

If Defendant/Dad's DRUG TEST RESULTS are POSITIVE a MOTION shall be PREPARED by Counsel taking away Defendant/Dad's unsupervised visitation.

In regards to the Defendant/Dad appearing for the (1) RANDOM DRUG TEST he will RECEIVE a TELEPHONE CALL or TEXT MESSAGE from Attorney Kristine Brewer, telling Defendant/Dad he shall REPORT for DRUG TESTING at such time Defendant/Dad shall have until 3:00 pm, (on that date) to be DRUG TESTED.

If Defendant/Dad's does not APPEAR for the DRUG TEST or does not PAY for the DRUG TEST and the RESULTS are not RECEIVED by the COURT, Defendant/Dad will RECEIVE a MOTION from Attorney Brewer to take Defendant/Dad's UNSUPREVISSED VISTATION away.

A COPY of the DRUG TEST REFERRAL and Courts MINUTES shall be emailed to parties and counsel.

EVIDENTIARY HEARING set 5-19-2021 at 1:30 pm.,

BRIEFS shall be VOLUNTARILY on part of the parties.

Attorney Brewer shall prepare the order of the court.

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INTERIM CONDITIONS:

FUTURE HEARINGS: Nov 10, 2020 2:00PM Return Hearing
FMC / Donna's House Visitation
Courtroom 10 Pomrenze, Sandra

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

May 05, 2021

D-20-602675-D Marlene Diana Salvatierra, Plaintiff
vs.
Walter Geoffrey Salvatierra, Defendant.

May 05, 2021 10:00 AM Motion

HEARD BY: Perry, Mary**COURTROOM:** Courtroom 23**COURT CLERK:** Kyle Medina**PARTIES:**

Diana Salvatierra, Subject Minor, not present

Marlene Salvatierra, Plaintiff, Counter

Defendant, present

Kristine Brewer, Attorney, present

Sebastian Salvatierra, Subject Minor, not present

Walter Salvatierra, Defendant, Counter

Claimant, not present

Pro Se

JOURNAL ENTRIES

- MOTION: PLTF'S MOTION TO SUSPEND DEFT'S VISITATION; ORDER DEFT. TO ATTEND OPTIONS PROGRAM; SET CHILD SUPPORT AND ORDER CHILDREN TO RECEIVE THERAPY VISITATION AND ALL OTHER RELATED RELIEF....

In the interest of public safety due to the Coronavirus pandemic, Attorney Brewer and the Plaintiff were present via VIDEO CONFERENCE through the BlueJeans application.

Court noted the Defendant's non appearance and Attorney Brewer stated that he is currently incarcerated for violation of probation in High Desert State Prison. Attorney Brewer inquired if the Court would prefer a one sided Evidentiary Hearing or a prove up due to the remaining issues such as debts and property.

COURT ORDERED the following:

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Plaintiff shall have SOLE LEGAL SOLE PHYSICAL custody of the Minor Child.

The Defendant will be able to petition for reunification with the Minor Child once he is release from prison to start the process.

The Defendant will have to prove 6 months of sobriety through the Patch Program once he is released.

Visitation with the Defendant and the Minor Children will be by the Plaintiff's discretion. If the Defendant want's a visitation schedule he can file a Motion with the Court.

Attorney Brewer shall provide a Evidentiary hearing/prove up on the parties property and debts and shall file Exhibits to support their decision.

Evidentiary Hearing still STANDS for May 19, 2021 at 1:30 pm. The Minute Order shall suffice, and a written Order is not required.

INTERIM CONDITIONS:

FUTURE HEARINGS: May 19, 2021 1:30PM Evidentiary Hearing
Courtroom 23 Perry, Mary

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

May 19, 2021

D-20-602675-D Marlene Diana Salvatierra, Plaintiff
vs.
Walter Geoffrey Salvatierra, Defendant.

May 19, 2021 1:30 PM Evidentiary Hearing

HEARD BY: Perry, Mary**COURTROOM:** Courtroom 23**COURT CLERK:** Kyle Medina**PARTIES:**

Diana Salvatierra, Subject Minor, not present

Marlene Salvatierra, Plaintiff, Counter

Defendant, present

Kristine Brewer, Attorney, present

Sebastian Salvatierra, Subject Minor, not present

Walter Salvatierra, Defendant, Counter

Pro Se

Claimant, not present

JOURNAL ENTRIES

- EVIDENTIARY HEARING

In the interest of public safety due to the Coronavirus pandemic, Attorney Brewer and the Plaintiff were present via VIDEO CONFERENCE through the BlueJeans application.

Court noted the Defendant is currently incarcerated and stated that there is a current outlined Divorce Decree that has been filed by the Plaintiff with the proposed terms.

Plaintiff canvassed by Attorney Brewer on terms set forth in the proposed Decree.

Proposed Decree has been filed as "Plaintiff's Exhibit 12" in Odyssey pages 157 to 167 on May 18, 2021 and the terms of the proposed Decree were stated in Open Court.

COURT stated FINDINGS and ORDERED the following:

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COURT FINDS that it has subject matter jurisdiction over this case, personal jurisdiction over the parties.

Absolute DECREE of DIVORCE is GRANTED, pursuant to the terms and conditions as outlined herein. Parties are RETURNED to the STATUS of SINGLE and UNMARRIED PERSONS.

Attorney Brewer shall change the length of time the Plaintiff shall have to refinance the Marital home from thirty to sixty days.

Court shall appoint the Plaintiff to be able to sign said paperwork pursuant to the NRS 70 since it is no longer the Clerk of the Court.

The Defendant shall be able to file a Motion once he is released from custody if he finds suitable to change any of the terms set forth in the Divorce Decree.

Attorney Brewer shall file an Affidavit of Resident Witness along with the finalized Divorce Decree and submit it to the Court. Case shall be CLOSED by submission of the Decree.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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

WALTER G. SALVATIERRA #1244436
P.O. BOX 650
INDIAN SPRINGS, NV 89070

DATE: October 14, 2021
CASE: D-20-602675-D

RE CASE: MARLENE DIANA SALVATIERRA nka MARLENE NARVAEZ vs. WALTER GEOFFREY SALVATIERRA

NOTICE OF APPEAL FILED: October 12, 2021

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

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

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

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

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

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

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

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; DECREE OF DIVORCE; NOTICE OF ENTRY OF DECREE OF DIVORCE; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

MARLENE DIANA SALVATIERRA nka
MARLENE NARVAEZ,

Plaintiff(s),

vs.

WALTER GEOFFREY SALVATIERRA,

Defendant(s),

Case No: D-20-602675-D

Dept No: P

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 14 day of October 2021.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk