

IN THE SUPREME COURT OF THE STATE OF NEVADA

Electronically Filed
Oct 11 2022 11:32 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

RONALD DAVID HARRIS,
Appellant(s),

vs.

JENNIFER FIGUEROA,
Respondent(s),

Case No: D-20-606828-C

Docket No: 85333

RECORD ON APPEAL VOLUME 2

ATTORNEY FOR APPELLANT
RONALD HARRIS #584414,
PROPER PERSON
NECX P.O. BOX 5000
MOUNTAIN CITY, TN 37683-5000

ATTORNEY FOR RESPONDENT
JENNIFER FIGUEROA,
PROPER PERSON
3874 CALLE DE ESTE
LAS VEGAS. NV 89121

D-20-606828-C Jenniffer Figueroa, Plaintiff. vs. Ronald David Harris, Defendant.

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Electronically Filed
03/08/2022

Heather S. Hume
CLERK OF THE COURT

1 NOTC

2 Your Name: Ronald Harris # 584414

3 Address: NECX - PO BOX 5000

4 City, State, Zip: Mountain City, TN. 37683

5 Phone:

6 Email:

7 Self-Represented

8 **DISTRICT COURT**
9 **CLARK COUNTY, NEVADA**

10 Jennifer Figueroa

11 Plaintiff,

12 vs.

13 Ronald Harris

14 Defendant.

CASE NO.: D-20-606828-C

DEPT: N

15 **NOTICE OF INTENT TO SERVE SUBPOENA**

16 **PLEASE TAKE NOTICE** that a Subpoena commanding the production of documents,
17 electronically stored information, or tangible items, or inspection of premises before trial has
18 been issued. A copy of the Subpoena is attached.

19 The Subpoena will be served on the person to whom it is directed in not less than seven
20 days from the date of this notice.

21 DATED February 22, 20 22

22 (your signature) ▶

Ronald Harris

23 (print your name)

Ronald Harris

CERTIFICATE OF MAILING

I, (*your name*) _____ declare under penalty of perjury
under the law of the State of Nevada that I served this ***Notice of Intent to Serve Subpoena*** and
Subpoena on (*date of mailing: month*) _____ (*day*) _____, 20____, by
depositing a copy in the U.S. Mail in the State of Nevada, postage prepaid, addressed to:

Name of Opposing Party/Attorney: _____

Address: _____

City, State, Zip: _____

DATED _____, 20____

(*your signature*) ► _____

SUB

Your Name: Ronald Harris #584414
Address: NECX- PO Box 5000
City, State, Zip: Mountain City, TN. 37683
Telephone: —
Email Address: —

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Jennifer Figueroa
Plaintiff,

vs.

Ronald Harris
Defendant.

CASE NO.: D-20-606828-C

DEPT: N

SUBPOENA – DUCES TECUM
(Records May Be Mailed in Lieu of
Appearance)

TO: Name of Person/Company: Russell Nixon - McCarter - East LLC
Address: 316 West Main St.
Murfreesboro, TN. 37130
Telephone No.: 615-893-9255

YOU ARE HEREBY COMMANDED, that all and singular, business and excuses set aside,
you appear and produce the items requested on:

Date: (month) April (day) 26, 20 22

Time: 3 ☐ a.m. ☒ p.m.

Address: Family Court and Service Center, 601 N. Pecos Rd. Las Vegas, NV

In lieu of your appearance on the above date, the requested items may be produced,
along with the duly executed and notarized Certificate of Custodian of Records (attached as
Exhibit "B"), ^{two weeks} ~~on or~~ before the time and date set for your appearance. Send the documents to:

Name: Ronald D. Harris #584414

Address: NECX- PO Box 5000
Mountain City, TN. 37683

1 **YOU ARE FURTHER COMMANDED** to bring with you at the time of your
2 appearance the following:

3 **ITEMS TO BE PRODUCED**

4 ①.

5 A document of sworn affidavit providing the
6 following information: Statement of any and all
7 acknowledgements that Mrs. Harris (Figueroa) made to
8 law enforcement during her interviews of any knowledge
9 she had of any alleged illegal activity between
10 Mr. Harris and S. F. More specifically her comments
11 to law enforcement about finding nude photos of her
12 daughters on a camera in 2013 while living in Wilson
13 County. Comments made to law enforcement that she
14 had been looking for that hard drive for years. Comments
15 she made to law enforcement about an August 2015
16 incident between Mr. Harris and S. F. acting nervous or
17 weird when she walked in on them. Comments made to
18 law enforcement about finding a sexual video of S. F.
19 in April 2016, 4 months before Mr. Harris' arrest. Lastly,
20 confirmation that S. F. said in her forensic interview
21 that her mother (Figueroa) knew things (illegal) were
22 going on but she was giving Mr. Harris a chance.
23
24
25

26 ② Any notes (handwritten or typed) that you took when
27 watching S. F.'s interview - Notes from listening to Mrs.
28 Harris' interviews with law enforcement. (copies will suffice)

EXHIBIT "A" - NEVADA RULES OF CIVIL PROCEDURE RULE 45

(c) **Protection of Persons Subject to Subpoena.**

(1) **Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court that issued the subpoena must enforce this duty and may impose an appropriate sanction — which may include lost earnings and reasonable attorney fees — on a party or attorney who fails to comply.

(2) **Command to Produce Materials or Permit Inspection.**

(A) **Appearance Not Required.**

(i) A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(ii) If documents, electronically stored information, or tangible things are produced to the party that issued the subpoena without an appearance at the place of production, that party must, unless otherwise stipulated by the parties or ordered by the court, promptly copy or electronically reproduce the documents or information, photograph any tangible items not subject to copying, and serve these items on every other party. The party that issued the subpoena may also serve a statement of the reasonable cost of copying, reproducing, or photographing, which a party receiving the copies, reproductions, or photographs must promptly pay. If a party disputes the cost, then the court, on motion, must determine the reasonable cost of copying the documents or information, or photographing the tangible items.

(B) **Objections.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, or a person claiming a proprietary interest in the subpoenaed documents, information, tangible things, or premises to be inspected, may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The person making the objection must serve it before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made:

(i) the party serving the subpoena is not entitled to inspect, copy, test, or sample the materials or tangible things or to inspect the premises except by order of the court that issued the subpoena;

(ii) on notice to the parties, the objecting person, and the person commanded to produce or permit inspection, the party serving the subpoena may move the court that issued the subpoena for an order compelling production or inspection; and

(iii) if the court enters an order compelling production or inspection, the order must protect the person commanded to produce or permit inspection from significant expense resulting from compliance.

(3) **Quashing or Modifying a Subpoena.**

(A) **When Required.** On timely motion, the court that issued a subpoena must quash or modify the subpoena if it:

(i) fails to allow reasonable time for compliance;

(ii) requires a person to travel to a place more than 100 miles from the place where that person resides, is employed, or regularly transacts business in person, unless the person is commanded to attend trial within Nevada;

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies; or

(iv) subjects a person to an undue burden.

(B) **When Permitted.** On timely motion, the court that issued a subpoena may quash or modify the subpoena if it requires disclosing:

(i) a trade secret or other confidential research, development, or commercial information; or

(ii) an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) **Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order an appearance or production under specified conditions if the party serving the subpoena:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(d) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

STATE OF NEVADA) Case No.: _____
) ss. Dept.: _____
COUNTY OF)

1. That the deponent is the *(position or title)* _____
of *(name of employer)* _____ and in his or her capacity as *(position or title)* _____ is a custodian of records of *(name of employer)* _____

3. That on (date) _____ 20____, the deponent was served with a subpoena in connection with the above-entitled cause, calling for the production of records pertaining to

5. That the original of those records were made at or near the time of the act, event, condition, opinion or diagnosis recited therein by or from information transmitted by a person with knowledge, in the course of a regularly conducted activity of the deponent or *(name of employer)* .

SUBSCRIBED AND SWORN to before me this _____ day of _____, 20____.

250

1 **SUB**

2 Your Name: Ronald David Harris # 584414

3 Address: NECX - P.O. Box 5000

4 City, State, Zip: Mountain City, TN 37683

5 Telephone: —

6 Email Address: —

7 **DISTRICT COURT**
8 **CLARK COUNTY, NEVADA**

9 Jennifer Figueroa

10 Plaintiff,

11 vs.

12 Ronald Harris

13 Defendant.

CASE NO.: D-20-606828-C

DEPT: N

SUBPOENA - DUCES TECUM

(Records May Be Mailed in Lieu of
Appearance)

14 **TO:** Name of Person/Company: Det. Matt Fracker Laverne PD

15 Address: 5093 Murfreesboro Rd.

16 Laverne, TN. 37086

17 Telephone No.: 615-287-8667

18 **YOU ARE HEREBY COMMANDED**, that all and singular, business and excuses set aside,
19 you appear and produce the items requested on:

20 Date: (month) APRIL (day) 26, 2022

21 Time: 3:00 ☐ a.m. ☒ p.m.

22 Address: Family Court & Service Center, 601 N. Pecos Rd. Las Vegas, NV.

23 **In lieu of your appearance** on the above date, the requested items may be produced,
24 along with the duly executed and notarized Certificate of Custodian of Records (attached as
25 Exhibit "B"), ^{Two weeks} ~~on or before~~ the time and date set for your appearance. Send the documents to:

26 Name: Ronald Harris # 584414

27 Address: N.E.C.X. - P.O. Box 5000

28 Mountain City, TN. 37683 - 5000

1 **YOU ARE FURTHER COMMANDED** to bring with you at the time of your
2 appearance the following:

3 **ITEMS TO BE PRODUCED**

4
5 A document of sworn affidavit providing the
6 following information: Statement of any and all
7 acknowledgements that Mrs. Harris (Figueroa) made
8 to you about her knowledge of any alleged illegal
9 activity between Mr. Harris and S.F. More specifically
10 her comments to you about finding nude photos of her
11 daughters on a camera in 2013 while living in Wilson
12 County, TN. Comments made to you that she had
13 been looking for that hard drive for years or for a
14 long time. Comments she made to you about an
15 August 2015 incident between Mr. Harris and S.F.
16 when she walked in on Mr. Harris and S.F. acting
17 weird or nervous. Comments she made to you
18 about finding a sexual video of S.F. in April 2016,
19 4 months before Mr. Harris' arrest. Comment S.F.
20 made to DCS and to you on 8-23-16 that her
21 mother (Mrs. Harris), knew things were going ~~on~~ but
22 that she was giving Mr. Harris a chance.
23
24
25
26
27
28

EXHIBIT "A" - NEVADA RULES OF CIVIL PROCEDURE RULE 45

(c) **Protection of Persons Subject to Subpoena.**

(1) **Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court that issued the subpoena must enforce this duty and may impose an appropriate sanction — which may include lost earnings and reasonable attorney fees — on a party or attorney who fails to comply.

(2) **Command to Produce Materials or Permit Inspection.**

(A) **Appearance Not Required.**

(i) A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(ii) If documents, electronically stored information, or tangible things are produced to the party that issued the subpoena without an appearance at the place of production, that party must, unless otherwise stipulated by the parties or ordered by the court, promptly copy or electronically reproduce the documents or information, photograph any tangible items not subject to copying, and serve these items on every other party. The party that issued the subpoena may also serve a statement of the reasonable cost of copying, reproducing, or photographing, which a party receiving the copies, reproductions, or photographs must promptly pay. If a party disputes the cost, then the court, on motion, must determine the reasonable cost of copying the documents or information, or photographing the tangible items.

(B) **Objections.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, or a person claiming a proprietary interest in the subpoenaed documents, information, tangible things, or premises to be inspected, may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The person making the objection must serve it before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made:

(i) the party serving the subpoena is not entitled to inspect, copy, test, or sample the materials or tangible things or to inspect the premises except by order of the court that issued the subpoena;

(ii) on notice to the parties, the objecting person, and the person commanded to produce or permit inspection, the party serving the subpoena may move the court that issued the subpoena for an order compelling production or inspection; and

(iii) if the court enters an order compelling production or inspection, the order must protect the person commanded to produce or permit inspection from significant expense resulting from compliance.

(3) **Quashing or Modifying a Subpoena.**

(A) **When Required.** On timely motion, the court that issued a subpoena must quash or modify the subpoena if it:

(i) fails to allow reasonable time for compliance;

(ii) requires a person to travel to a place more than 100 miles from the place where that person resides, is employed, or regularly transacts business in person, unless the person is commanded to attend trial within Nevada;

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies; or

(iv) subjects a person to an undue burden.

(B) **When Permitted.** On timely motion, the court that issued a subpoena may quash or modify the subpoena if it requires disclosing:

(i) a trade secret or other confidential research, development, or commercial information; or

(ii) an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) **Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order an appearance or production under specified conditions if the party serving the subpoena:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(d) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

EXHIBIT "B"
CERTIFICATE OF CUSTODIAN OF RECORDS

STATE OF NEVADA) Case No.: _____
) ss. Dept.: _____
COUNTY OF _____)

NOW COMES *(name of custodian of records)* _____,
who after first being duly sworn deposes and says:

1. That the deponent is the *(position or title)* _____
of *(name of employer)* _____ and in his or her capacity as *(position or title)* _____ is a custodian of records of *(name of employer)* _____.

2. That *(name of employer)* _____ is licensed or registered to do business as a _____ in the State of _____.

3. That on *(date)* _____, 20____, the deponent was served with a subpoena in connection with the above-entitled cause, calling for the production of records pertaining to _____.

4. That the deponent has examined the original of those records and has made or caused to be made a true and exact copy of them and that the reproduction of them attached hereto is true and complete.

5. That the original of those records were made at or near the time of the act, event, condition, opinion or diagnosis recited therein by or from information transmitted by a person with knowledge, in the course of a regularly conducted activity of the deponent or *(name of employer)* _____.

Executed on: _____
(date) (Signature of Custodian of Records)

SUBSCRIBED AND SWORN to before me this
_____ day of _____, 20____.

NOTARY PUBLIC in and for the
County of _____, State of _____

COURT CODE: MOT

Your Name: Ronald Harris #584414

Address: NECX - PO BOX 5000

Mantain City, TN. 37683

Telephone: _____

Email Address: _____

Self-Represented

Electronically Filed

03/23/2022

Heather Shinn
CLERK OF THE COURT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Figueroa
Plaintiff,

vs.

Harris
Defendant.

CASE NO.: D-20-606828-C

DEPT: Z

Hearing Requested? (☒ check one, the clerk will enter dates when you file)

☐ Yes. Hearing Date: _____

Hearing Time: _____

☒ No. Chambers Decision: _____

MOTION FOR Contact with my 4 children. Weekly phone calls and holidays, birthdays
(provide a short title that sums up what you are asking the judge to order)

TO: Name of Opposing Party and Party's Attorney, if any, Jennifer Figueroa

If a hearing was requested above, the hearing on this motion will be held on the date and time above before the Eighth Judicial District Court - Family Division located at:
(clerk will check one)

- ☒ The Family Courts and Services Center, 601 N. Pecos Road Las Vegas, Nevada 89101.
☐ The Regional Justice Center, 200 Lewis Avenue Las Vegas, Nevada 89101.
☐ The Child Support Center of Southern Nevada, 1900 E. Flamingo Rd #100, LV NV 89119.

NOTICE: You may file a written response to this motion with the Clerk of the Court and provide the undersigned with a copy of your response within 14 days of receiving this motion. Failure to file a written response with the Clerk of Court within 14 days of your receipt may result in the requested relief being granted by the Court without a hearing prior to the scheduled hearing date.

Submitted By: R. Harris

☐ Plaintiff / ☒ Defendant

RECEIVED
Generic Motion

© 2020 Family Law Self-Help Center

* You are responsible for knowing the law about your case. For more information on the law, this form, and free classes, visit www.familylawselfhelpcenter.org or the Family Law Self Help Center at 601 N. Pecos Road. To find an attorney, call the State Bar of Nevada at (702) 382-0504.

MAR 14 2022
CLERK OF THE COURT

MOTION

(☒ check one)

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

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

Ms. Figueroa refuses to answer my calls to my children. I've requested this in letters. No response. She refuses.

Financial Disclosure Form ("FDF") Certification.

(☒ check one)

☒ This motion does not have anything to do with money or financial relief.

☐ I understand that I must file my FDF within 3 days of filing this motion to support my request for financial relief. Failure to file a timely, complete, and accurate FDF may result in the court ruling against me and/or imposing sanctions.

☐ I filed a FDF in the last 6 months and have no material changes to report.

POINTS AND AUTHORITIES

LEGAL ARGUMENT. (explain all relevant laws and legal authorities that support your motion. If you do not provide and explain the legal basis that supports each of your requests, your motion may be considered without merit and denied.)

NV. ST. 125C. 002 - When a court is making a determination regarding the legal custody of a child there is a presumption, affecting the burden of proof, that joint legal custody would be in the best interest of a minor child. (b) a parent has demonstrated, or has attempted to demonstrate but has had his or her efforts frustrated by the other parent, an intent to establish a meaningful relationship with the minor child.

FACTS AND ARGUMENT (explain all relevant facts the judge needs to know to make a decision)

As of right now my joint legal custody rights are still intact due to the NV. CT App reversal of this case, No. 81746-CoA. It's my opinion that it's in my children's best interest to have contact with their father. For over 3 years now my ex-wife has not let me speak to my children. The only reason is because she knows that I'm involved in bringing her to justice for crimes she's committed in my case and other crimes outside of my case. That's when it started. She promised me she would not cut my contact off or stoop to that level. She cut my contact off while my joint legal custody rights were intact, before the district court's decision, and after the NV. CT of App. reversed the lower court's decision. I am a loving father. I have continued to try and call my kids over this three years. I have continued writing them letters, sending birthday cards, Christmas gifts and money, when I can. Ms. Figueroa is unlawfully frustrating my efforts to establish a meaningful relationship with my children. She's using them as

(attach additional pages if more space is needed)

CONCLUSION (explain what you want the judge to order)

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

1. Contact with my children
2. Weekly phone calls
3. Birthdays and holiday calls.

DATED March 7, 2022

Submitted By: (your signature)

R. David Harris

(print your name)

R. David Harris

weapons against me. I'm currently incarcerated in Tennessee. My case is headed to the Feds for Habeas Corpus relief. I believe strongly, as do my lawyers, that my case will be overturned by the Federal Court system. I took a best interest plea, my original lawyer was ineffective. My case has nothing to do with my four children with Ms. Figueroa. Whenever I spoke to my children she had the calls on speaker phone. I have never had an inappropriate conversation with my children, never bad mouthed their mother or anyone else. Any claims by Ms. Figueroa that I have will be untrue, nor can she prove it should she claim it. My children are my world and I've been fighting for them for over 4 years. Being in prison has me at a disadvantage to even fight for them but I'm doing my best. I have obtained a lot of evidence to not only prove Ms. Figueroa wrong in the upcoming evidentiary hearing, but also proof that she is guilty of several crimes that she committed in regards to my case, crimes outside of my case, and several lies or morally wrong behavior. I'm in the process of getting statements, affidavits, and subpoenas to use in my defense of our custody case. If anything I believe the court will see that Ms. Figueroa is no saint, no better than me, and certainly someone²⁶⁰ who's own character will

be called into question. I'm 100% positive. I will be presenting a massive amount of evidence. In the meantime I'm asking this honorable Court to order that I can have weekly phone calls with my children as well as major holidays and their birthdays. My children love me and miss me. I have no idea what Ms. Figueroa has told them over these last three years of why they can't speak to their daddy. It boggles my mind. My 15 year old daughter, Isabelle, shares a birthday with me. Our birthday is February 25th. I called her on her birthday - Ms. Figueroa refused to answer even though I share joint legal custody. I have missed three years of birthdays, Thanksgivings and Christmas' with them due to Ms. Figueroa's childish, immature, revenge driven and quite possibly illegal decision to cut off my contact with my children. I'm submitting an exhibit to the court to show an example of what this might be doing to my kids. In July 2018 I received the only Father's Day cards from my kids since I've been in prison. They were delayed getting to me because I left the County jail in late February 2018 to go to classification for prison. I got to my prison in April 2018. At the time I was not assigned a pin number or

FD to establish phone service. That was the only reason why I was not able to call my children for those 5 months. Even though all four of my children wrote me it was the letters from my two sons (I have 2 boys & 2 girls with Ms. Figueroa), that really broke my heart. My son, Julian, who was 8 at the time said, "I miss you so much. I want to talk to you or call you. I wish you were here right now." (see exhibit). My son, River, who was 6 at the time said, "I hope you get out of jail soon." and "I love you, daddy." This is how they felt after not speaking to me for those 5 months while I was being classified and processed. I can only imagine what these past 3 years have been like for them. It's been Hell for me. You can also get an idea of the way Ms. Figueroa acts towards me. "I haven't had a phone call from you in a while, which is fine, trust me I'm not complaining..." - This from a person that by the time I'm finished presenting evidence in the evidentiary hearing will be exposed for her own actions, decisions, lack of action, knowledge and crimes. I want to make it clear to the court that I have no problem being 100% cordial, friendly, non-abrasive or ^{NON-}combative towards Ms. Figueroa. I just want to ²⁶²speak to my kids. I want to

know who their favorite singer is, or their favorite TV show, subject in school or if they have boyfriends or girlfriends. I have no clue about any of that. I have no clue what they like on their pizza. This isn't fair nor is it right. I'm asking for this honorable court to compel Ms. Figueroa to allow me to speak to my children. I've requested a chambers decision. My fear is that somehow Ms. Figueroa would be able to "appear" somehow and I won't have the chance to be available. It's a process here, but I do plan to be available telephonically for the evidentiary hearing. It takes a lot of advance notice. I feel that the court can make an informed decision based on the law and the best interest of my children.

DECLARATION IN SUPPORT OF MOTION

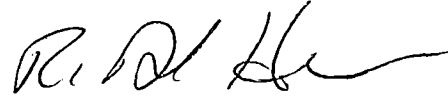
I declare, under penalty of perjury:

- a. I have read the foregoing motion, and the factual averments it contains are true and correct to the best of my knowledge, except as to those matters based on information and belief, and as to those matters, I believe them to be true. Those factual averments contained in the referenced filing are incorporated here as if set forth in full.
- b. Any Exhibit(s) in support of this Motion will be filed separately in an Exhibit Appendix.

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

DATED March 7, 2022.

Submitted By: (your signature)



(print your name)

R. David Harris

COURT CODE: MOT

Your Name: Ronald Harris #584414

Address: NECX- PO BOX 5000

Mountain City, TN. 37683-5000

Telephone:

Email Address:

Self-Represented

Electronically Filed

03/23/2022

Heather L. Linn

CLERK OF THE COURT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Figueroa

Plaintiff,

vs.

Harris

Defendant.

CASE NO.: D-20-606828-C

DEPT:

Hearing Requested? (☒ check one, the clerk will
enter dates when you file)

☐ Yes. Hearing Date:

Hearing Time:

☒ No. Chambers Decision:

MOTION FOR To disqualify Judge Mathew Harker from this case.
(provide a short title that sums up what you are asking the judge to order)

TO: Name of Opposing Party and Party's Attorney, if any, Jennifer Figueroa

If a hearing was requested above, the hearing on this motion will be held on the date and
time above before the Eighth Judicial District Court - Family Division located at:

(clerk will check one)

- ☒ The Family Courts and Services Center, 601 N. Pecos Road Las Vegas, Nevada 89101.
☐ The Regional Justice Center, 200 Lewis Avenue Las Vegas, Nevada 89101.
☐ The Child Support Center of Southern Nevada, 1900 E. Flamingo Rd #100, LV NV 89119.

NOTICE: You may file a written response to this motion with the Clerk of the
Court and provide the undersigned with a copy of your response within 14
days of receiving this motion. Failure to file a written response with the Clerk
of Court within 14 days of your receipt may result in the requested relief being
granted by the Court without a hearing prior to the scheduled hearing date.

Submitted By: Ronald Harris

☐ Plaintiff / ☒ Defendant

MOTION

(☒ check one)

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

She Won't answer the phone or attempt to even
communicate with regards to this case.

Financial Disclosure Form ("FDF") Certification.

(☒ check one)

- ☒ This motion does not have anything to do with money or financial relief.
- ☐ I understand that I must file my FDF within 3 days of filing this motion to support my request for financial relief. Failure to file a timely, complete, and accurate FDF may result in the court ruling against me and/or imposing sanctions.
- ☐ I filed a FDF in the last 6 months and have no material changes to report.

POINTS AND AUTHORITIES

LEGAL ARGUMENT. (explain all relevant laws and legal authorities that support your motion. If you do not provide and explain the legal basis that supports each of your requests, your motion may be considered without merit and denied.)

In the interest of justice I'm moving to have Judge Mathew Harter
disqualified from hearing or deciding this case. I fear he's biased
towards me because I'm currently incarcerated. I also believe he'll
be biased against me because I successfully appealed his decision
to the Nev. Ct of App. They reversed his decision and made it very clear
that Judge Harter abused his discretion by awarding my ex-wife
sole legal custody of our 4 children and that he also violated my due
process rights. In fact, according to the transcript he granted her sole
legal custody right off the bat and before she barely opened her mouth.
He also admitted to reading my answer, "fairly quickly." This makes

FACTS AND ARGUMENT (explain all relevant facts the judge needs to know to make a decision)

me feel that Judge Harter is not interested in hearing the case on the merits. He's a seasoned, veteran jurist and to me the Nev. CT. of App. decision gave off the vibe that he should've not made these type of errors. I'm concerned that he might be bitter against me. I have not received any confirmation that any of my exhibits and my answer to Ms. Figueroa's exhibits have been received or electronically filed on my behalf by the court clerk. It's been over a month and a half. That's concerning. Also, after Judge Harter ruled in my ex-wife's favor he said to her, "You have a good day. Stay safe and healthy." I don't know if that's Judge Harter's usual demeanor but reading it as a stand alone text from a transcript it comes across a little biased when you take it in context of the entire transcript. He was not responding to her. He initiated it. I just don't believe he can be unbiased in this case. I'm requesting that if reassigned that the evidentiary hearing be pushed out from the 4-26-22 date and rescheduled because I'm in the process of issuing subpoenas, statements, affidavits, phone records and other relevant evidence. It's taking a little longer to get because I'm pro se and incarcerated. (Continued...)

(attach additional pages if more space is needed)

CONCLUSION (explain what you want the judge to order)

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

1. Disqualify Judge Harter
2. Reassign this case
3. Move hearing date from 4-26-22

DATED March 7, 2022.

Submitted By: (your signature)

Rod Del Hous

(print your name)

Ronald David Harris

Lastly, I'm citing Wiese v. Granata 110 NEV. 1410 887 P. 2d 744 (1994) where the Nevada Supreme Court reversed the district court's decision in a case almost identical to my successful appeal. The Nevada Supreme Court said, by their own provocation, "In the interest of justice, if any future proceedings are conducted in this case, the case should be reassigned to a Family Court Judge other than Judge Scott Jordan." (Footnote 2) With all due respect to Judge Harter, I request the same.

DECLARATION IN SUPPORT OF MOTION

I declare, under penalty of perjury:

- a. I have read the foregoing motion, and the factual averments it contains are true and correct to the best of my knowledge, except as to those matters based on information and belief, and as to those matters, I believe them to be true. Those factual averments contained in the referenced filing are incorporated here as if set forth in full.
- b. Any Exhibit(s) in support of this Motion will be filed separately in an Exhibit Appendix.

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

DATED March 7, 2022.

Submitted By: (your signature)

Ronald David Harris

(print your name)

Ronald David Harris

EXHS
Name: Ronald Harris #584414
Address: NECX- PO Box 5000
Mountain City, TN, 37683
Telephone: _____
Email Address: _____
In Proper Person

Electronically Filed
03/23/2022

Heather S. Shinn
CLERK OF THE COURT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Jennifer Figueroa

Plaintiff,
vs.
Ronald D Harris

Defendant.

CASE NO.: D-20-606828-C
DEPT: _____
DATE OF HEARING: _____
TIME OF HEARING: _____

EXHIBIT APPENDIX

(your name) Ronald Harris, the (check one ☒ Plaintiff
☒ Defendant, submits the following exhibits in support of my (title of motion / opposition you
filed that these exhibits support) Motion to disqualify Judge Harter. I understand that
these are not considered substantive evidence in my case until formally admitted into evidence.

Table of Contents:

1. Court of Appeals decision
2. Transcript of hearing
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

EXHIBIT 1

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RONALD DAVID HARRIS,
Appellant,
vs.
JENNIFFER FIGUEROA,
Respondent.

No. 81746-COA

FILED

NOV 05 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: S. Yarene
DEPUTY CLERK

ORDER REVERSING IN PART AND REMANDING

Ronald David Harris appeals from a child custody decree. Eighth Judicial District Court, Clark County; Mathew Harter, Judge.

Harris was once married to Jenniffer Figueroa, who moved to Nevada and obtained a divorce in 2017.¹ Harris subsequently pleaded guilty to sexually abusing Figueroa's daughter from a previous marriage—the half-sister to Harris's own four children with Figueroa.

Figueroa brought the underlying child custody action in April 2020. Figueroa filed a complaint pro se, requesting sole legal and sole physical custody of all four children plus child support. Regarding custody, Figueroa asserted in the complaint that the district court should consider that “[d]efendant is in prison as a sex offender. Pled guilty to B-felonies—30 years in prison.” She also asserted, “I would like the children have no contact w/ their father as the person he sexually abused for 3 years was the defendants [sic] step daughter, the childrens [sic] half-sister, who was 12 when abuse started.”

Figueroa served Harris by sending that complaint via certified mail, plus exhibits and a summons, to Harris at the PO Box for his prison in Tennessee. Harris timely filed a 12-page answer pro se, admitting he was incarcerated, but contesting Figueroa's request for sole legal custody. In his

¹We do not recount the facts except as necessary to our disposition.

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APPEALS
NOV - 8 2021
CLERK OF THE COURT

answer, Harris expressed an unwavering desire to be part of the children's lives. And he indicated that he should have joint legal custody because he had never made inappropriate remarks to *these* children or spoke ill of Figueroa in their presence.

In May 2020, the district court's judicial executive assistant signed an order and notice to appear for an NRCP 16.205 case management conference, and sent it to Harris (the certificate of mailing contains a box that is checked indicating electronic service, fax or email). At the conference, Figueroa appeared by video, but Harris did not appear for unexplained reasons. The district court sua sponte granted sole legal and sole physical custody to Figueroa in Harris's absence. According to the hearing transcript, the court stated that it would be "impossible" for Harris to exercise his custodial rights because he will be serving a prison sentence in Tennessee for the foreseeable future. The district court did not grant child support because it concluded it had no jurisdiction to do so.² Following the hearing, the district court signed a form custody decree from the Clark County Family Law Self-Help Center, completed by Figueroa pro se. Harris now appeals the issue of legal custody only.³

²The child support issue is not part of this appeal; however, we note that this conclusion is likely incorrect. See NRS 125B.014. In a proceeding to establish a support order, a Nevada district court may exercise personal jurisdiction over a nonresident if the nonresident submits to the jurisdiction of this state by filing a responsive document, thereby waiving any contest to personal jurisdiction. NRS 130.201(1)(b). Harris waived personal jurisdiction when he filed his answer to the custody complaint without asserting personal jurisdiction as a defense. See NRCP 12(b)(2); see also NAC 425.115 (stating that once the court makes a custody determination, it also must determine the obligor's child support obligation).

³Neither party had counsel up to this point. However, both parties have been represented by counsel since the brief writing stage of this appeal.

Whether the district court violated Harris's due process rights

Harris argues that the district court violated his due process rights by awarding Figueroa sole legal custody of the parties' children without providing him proper notice or an opportunity to be heard. Figueroa counters that the NRCP 16.205 notice gave Harris sufficient notice and that Harris had an opportunity to be heard by way of the answer he filed with the court, given that Figueroa did not present any arguments regarding custody at the case management conference. We agree with Harris.

The district court has broad discretion in determining child custody. *Rivero v. Rivero*, 125 Nev. 410, 428, 216 P.3d 213, 226 (2009). However, substantial evidence must support the district court's findings. *Id.* Substantial evidence is "evidence that a reasonable person may accept as adequate to sustain a judgment." *Id.* (quoting *Ellis v. Carucci*, 123 Nev. 145, 149, 161, P.3d 239, 242 (2007)). Also, "a court may not use changes of custody as a sword to punish parental misconduct." *Wiese v. Granata*, 110 Nev. 1410, 1412, 887 P.2d 744, 746 (1994) (quoting *Dagher v. Dagher*, 103 Nev. 26, 28 n.3, 731 P.2d 1329, 1330 n.3 (1987)).

First, due process requires that a district court give a parent notice before affecting custodial rights. *See id.* at 1412, 887 P.2d at 745-46. General notice that there will be a hearing is not enough. *See Dagher*, 103 Nev. at 28, 731 P.2d at 1330. Rather, the parent must have "prior specific notice" that, at the hearing, the court may make the custody determination that it ultimately does make. *See id.* (reversing a custody determination made at a hearing because a parent did not receive "prior specific notice" that the particular hearing might involve a change in custody); *see also Micone v. Micone*, 132 Nev. 156, 159, 368 P.3d 1195, 1197 (2016) (holding the court's award of custody to paternal grandparents violated due process where the parents had notice that custody was at issue, but did not have notice that the

court was considering that particular custody option).

Here, the district court issued a final custody decree immediately following the case management conference without either party requesting that the court take such action. Harris had notice that legal custody would be at issue in the case because Figueroa served him with her complaint seeking sole legal and sole physical custody. Also, the notice setting hearing is titled as a notice to appear for an NRCP 16.205 case management conference involving paternity or custody actions between unmarried persons. However, this notice did not advise the parties that a final custodial arrangement could be addressed and resolved at the case management conference, a point Figueroa conceded at oral argument. The NRCP 16.205 notice makes no reference to disposing of custody and the rule attached to the notice only indicates that the court may enter "interim" orders or orders setting the case for a settlement conference or trial. Therefore, we conclude that the district court did not provide Harris with prior specific notice sufficient to satisfy due process before entering a final custody decree.

Further, even if Harris received notice, due process requires more. *Wiese*, 110 Nev. at 1412-13, 887 P.2d at 746. "Litigants in a custody battle have the right to a full and fair hearing concerning the ultimate disposition of a child." *Id.* (quoting *Moser v. Moser*, 108 Nev. 572, 576, 836 P.2d 63, 66 (1992)). And a party "threatened with the loss of parental rights must be given the opportunity to disprove the evidence presented." *Id.* (quoting *Moser*, 108 Nev. at 577, 836 P.2d at 66).

Here, Harris did not attend the case management conference, there is no explanation on the record or in the decree as to why, and the district court never explained the impact of his non-appearance. And, even if he had attended, the hearing lasted less than six-minutes, and Figueroa presented no witnesses and no evidence on the custody issue at all. In fact,

the first action the district court took after its introductory comments was to grant Figueroa sole legal and physical custody. Figueroa had made no arguments regarding any subject at that point. She only had stated that she had received the answer to her complaint. Furthermore, Figueroa made virtually no statements about custody throughout the hearing. And in response to a question at the end of the hearing, the court told Figueroa that she could do whatever she wanted with the children because Harris now has no rights. As such, Harris had no opportunity to foresee the nature of the proceeding, challenge the court's legal determinations, or present or disprove evidence on the factual issues. Therefore, the district court deprived Harris of a full and fair hearing.

Additionally, "[a] district court may not elevate promptness and efficiency over fairness and due process by entering summary judgment before claims are properly before it for decision." *See Renown Reg'l Med. Ctr. v. Second Judicial Dist. Court*, 130 Nev. 824, 828, 335 P.3d 199, 202 (2014) (internal quotations omitted). As such, the district court may not sua sponte enter summary judgment without "giving the losing party notice that it must defend its claim." *See id.* (holding that the district court erred by granting summary judgment without briefing, argument, or notice).

Here, the district court's actions at the case management conference were tantamount to entering summary judgment sua sponte on the pleadings, similar to *Renown*. Neither Harris nor Figueroa filed motions or briefs asking the court to dispose of the custody issue—or any issue for that matter—at the case management conference. The court heard no arguments at the conference regarding custody. And, as stated above, the parties received no notice that the court could or would make a final custody determination without an evidentiary hearing. Yet the court disposed of the entire case at the conference. Therefore, we conclude that the district court

violated Harris's due process rights when it awarded Figueroa sole legal custody at the case management conference.

Whether the district court abused its discretion in awarding Figueroa sole custody

Harris also argues that the district court abused its discretion in issuing the custody decree because substantial evidence did not support the district court's conclusion that it would be impossible for Harris to exercise legal custodial rights from prison. Figueroa counters that, in issuing the custody decree, the district court acted within its broad discretion to decide what is in the best interest of the children. We address this issue because it will be presented to the district court again upon remand.

The district court has broad discretionary power to determine child custody, and we will not disturb custody determinations absent a clear abuse of discretion. *Ellis*, 123 Nev. at 149, 161 P.3d at 241. However, deference is not owed to legal error "or to findings so conclusory they may mask legal error." *Davis v. Ewalefo*, 131 Nev. 445, 450, 352 P.3d 1139, 1142 (2015).

"Legal custody involves having basic legal responsibility for a child and making major decisions regarding the child, including the child's health, education, and religious upbringing." *Rivero*, 125 Nev. at 420, 216 P.3d at 221. Joint legal custody is presumed to be in the children's best interest if certain conditions are met. NRS 125C.002. However, this presumption is overcome when the court finds that the parents are unable to communicate, cooperate, and compromise in the best interest of the children. See *Rivero*, 125 Nev. at 420, 216 P.3d at 221.⁴

⁴We have already interpreted *Rivero* to stand for this proposition in *Doucettperry v. Doucettperry*, No. 80114-COA, 2020 WL 6445845 (Nev. Ct.

Here, the district court signed a preprinted custody decree from the self-help center submitted by Figueroa, ordering that “[t]he plaintiff is granted sole legal custody of the minor children.” The decree recites, “this Court finds . . . [t]hat any custody and visitation orders made herein are in the best interest of the children.” But this decree does not address the NRS 125C.002 presumption or how Figueroa overcame the allegations in Harris’s answer that he never made inappropriate remarks to *these* children or spoke ill of Figueroa in their presence. The district court made no findings as to Harris and Figueroa’s ability, or lack thereof, to cooperate, communicate, or compromise in the best interest of their children. And there is otherwise no reference to the children’s best interest or the court’s findings or reasons for awarding Figueroa sole legal custody.

The district court therefore abused its discretion by failing to tie specific best interest findings to its conclusion that Figueroa should have sole legal custody in the decree.⁵ See *Davis*, 131 Nev. at 451, 352 P.3d at 1143 (“Crucially, the decree or order must tie the child’s best interest, as informed by specific, relevant findings . . . to the custody determination made.”); *Arcella v. Arcella*, 133 Nev. 868, 872, 407 P.3d 341, 346 (2017) (citing the *Davis* standard as applicable in the legal custody context). And while we normally defer to the district court’s ultimate custody determination, without specific findings in the decree, “this court cannot say with assurance that the


App. Nov. 2, 2020) (Order Affirming in Part, Reversing in Part, and Remanding).


⁵The district court’s oral pronouncement that Figueroa was entitled to sole legal and sole physical custody based upon Harris’s crimes and length of incarceration is a compelling factor, but it does not rise to the level where no further findings are necessary as instructed in *Davis*. See *Rust v. Clark Cty. Sch. Dist.*, 103 Nev. 686, 689, 747 P.2d 1380, 1382 (1987).

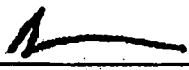
custody determination was made for appropriate legal reasons." *Davis*, 131 Nev. at 452, 352 P.3d at 1143.

Additionally, deciding which custody arrangement is in the children's best interest necessarily involves resolving disputed questions of fact in this case. Indeed, the parties clearly dispute whether Harris's behavior with his stepdaughter renders him unable to participate in important legal decisions for his four children. Therefore, the district court should have held an evidentiary hearing on the issue of legal custody. See *Nev. Power Co. v. Fluor Ill.*, 108 Nev. 638, 646, 837 P.2d 1354, 1360 (1992) (concluding that the district court abused its discretion in failing to hold an evidentiary hearing to determine disputed questions of fact). Accordingly, we

ORDER the judgment of the district court REVERSED in part, AND REMAND for proceedings consistent with this order.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Mathew Harter, District Judge
Lance J. Hendron, Attorney at Law, LLC
The Ramos Law Firm
Barbara Buckley
Snell & Wilmer/Kelly Dove
Anne Traum
Eighth District Court Clerk

EXHIBIT 2

1 LAS VEGAS, NEVADA

THURSDAY, JULY 16, 2020

2 PROCEEDINGS

3 (THE PROCEEDING BEGAN AT 03:59:58.)

4 THE CLERK: We're on the record.

5 THE COURT: Ms. Figueroa, can you hear me?

6 MS. FIGUEROA: Yes, I can.

7 THE COURT: All right. This will be case D606828,
8 Figueroa versus Harris. This is a custody action that was
9 filed in April of 2020. Give me one second because I know
10 there's a related case. The -- the divorce case was file --
11 was back in -- the related case is D547528.

12 In that case, the Court could only grant a divorce
13 because Ms. Figueroa had not established jurisdiction in the
14 state of Nevada at that point. She has now filed a custody
15 action indicating that the children have been here now for
16 3.5 years, which the Court would have jurisdiction. Was
17 there ever a custody case filed back in Tennessee, Ms.
18 Figueroa?

19 MS. FIGUEROA: No, there was not.

20 THE COURT: All right. I assumed that from yours and
21 his. I don't know if you got a copy of what he filed with
22 the Court.

23 MS. FIGUEROA: His response, I did receive.

24 THE COURT: All right. Let me -- first of all, I'm
25 going to, clearly under the circumstance, given his crimes,

D-20-606828-C FIGUEROA/HARRIS 07/16/2020
EIGHTH JUDICIAL DISTRICT COURT - FAMILY DIVISION - TRANSCRIPT VIDEO
601 N. Pecos Road, Las Vegas, Nevada 89101 (702) 455-3000
281

1 LAS VEGAS, NEVADA

THURSDAY, JULY 16, 2020

2

PROCEEDINGS

3

(THE PROCEEDING BEGAN AT 03:59:58.)

4

THE CLERK: We're on the record.

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MS. FIGUEROA: Yes, I can.

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18

Figueroa?

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MS. FIGUEROA: No, there was not.

20

THE COURT: All right. I assumed that from yours and

21

his. I don't know if you got a copy of what he filed with

22

the Court.

23

MS. FIGUEROA: His response, I did receive.

24

THE COURT: All right. Let me -- first of all, I'm

25

going to, clearly under the circumstance, given his crimes,

1 given the fact that he's gonna be incarcerated for a long
2 period of time, I will go ahead and grant your request of
3 sole legal sole physical custody of the four minor children.
4 Here...

5 MS. FIGUEROA: Okay.

6 THE COURT: Here is the tricky part, though. I know in
7 your request, you asked for child support based on the fact
8 that he apparently gets or will get some sort of royalties on
9 some sort of song writing stuff?

10 MS. FIGUEROA: Yes.

11 THE COURT: I don't have juris- I don't have jur- I have
12 jurisdiction over custody. But since he's remained in the
13 state of Tennessee, Tennessee has jurisdiction over child
14 custody -- or I'm sorry, child -- child support. That
15 doesn't mean you can't get it or start the process.

16 What you need to do is contact a district attorney
17 family support division. Let them know that you have the
18 custody order from Nevada, that you have sole legal sole
19 physical custody but the jurisdiction of child support is in
20 Tennessee because that's where he is a resident from. And
21 then they...

22 MS. FIGUEROA: Okay.

23 THE COURT: And then they will have the ability and
24 opportunity to tap into those record royalties.

25 MS. FIGUEROA: Okay. I'll do that.

1 THE COURT: Okay?

2 MS. FIGUEROA: Okay.

3 THE COURT: So I will -- I will grant your order. If
4 you need -- you need to submit an order whereby it shows that
5 you have sole legal sole physical custody of the four
6 children, that this Court does not have jurisdiction over
7 child support under NRS Chapter 130. The state of Tennessee,
8 given the fact that the defendant remains in the state of
9 Tennessee, never submitted himself to the jurisdiction of
10 Tennes- or the state of Nevada. And then again, you can go
11 forward with trying to get into those resources.

12 Just -- just from my own -- I don't -- I read
13 through most of his and fairly quickly. What -- what artist
14 did he write a song for?

15 MS. FIGUEROA: I mean, he's written with people, like,
16 Fernandi (ph), with Julian Lennon and Rick Springfield. And
17 even Rob Thomas from Matchbox Twenty. So he has a background
18 in that, he's claiming in the letters that he has sent cause
19 he sends me bunches of contracts and stuff like that just to
20 prove it. I don't know if he's faking them. I don't know.
21 I don't know how that works. He's saying that he wrote a
22 song with Justin Timberlake and Harry Styles and just a bunch
23 of different current artists. So I don't have any way of
24 getting that information now.

25 THE COURT: Well, I'm certainly -- see, what will happen

1 is the district attorney here will get in contact with
2 whatever child support agency it is in the state of Tennessee
3 and the -- the good thing about going through that process is
4 they have federal powers, which I as a state court don't
5 have.

6 So they'll -- they'll be able to find out if he's
7 receiving money. Obviously they'll be able to intercept any
8 tax returns. They'll find out if any money's coming to his
9 social security. You know, they'll trace it by social
10 security number. So that's gonna be your best bet for child
11 support.

12 MS. FIGUEROA: Okay. I -- I'll contact them.

13 THE COURT: All right. Again, your -- your order that
14 your submitting for this and again it will close out this
15 case, is simply that your granted sole legal sole physical
16 custody, given the fact that it's -- I guess I should cite
17 probably Hayes versus Gallagher as my reason why because it's
18 -- it's physically impossible for him to have any custody
19 rights due to the fact that he is serving a prison sentence,
20 an extended prison sentence in the state of Tennessee.

21 MS. FIGUEROA: Does that mean that I have control as far
22 as, like, he, you know, he's demanding to speak with them and
23 things like that and...

24 THE COURT: You can do...

25 MS. FIGUEROA: ... (indiscernible).

1 THE COURT: ...whatever you would like. You -- he has
2 no...

3 MS. FIGUEROA: Okay.

4 THE COURT: ...rights to them right now whatsoever.

5 MS. FIGUEROA: Okay. Thank you so much.

6 THE COURT: All right. You have a good day. Stay safe
7 and healthy.

8 MS. FIGUEROA: Thank you. Thank you. You, too.

9 (THE PROCEEDING ENDED AT 04:05:35.)

10

11

* * * * *

12

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

16

17


SHERRY JUSTICE
Transcriber II

18

19

20

21

22

23

24

25

EXHS
Name: Ronald Harris #584414
Address: NECX - PO BOX 5000
MOUNTAIN CITY, TN 37683
Telephone: _____
Email Address: _____
In Proper Person

Electronically Filed
03/23/2022

Heather J. Hume
CLERK OF THE COURT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Jennifer Figueroa

Plaintiff,
vs.
Ronald D Harris

Defendant.

CASE NO.: D-20-606828-C
DEPT: Z
DATE OF HEARING: _____
TIME OF HEARING: _____

EXHIBIT APPENDIX

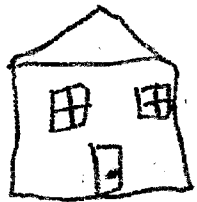
(your name) Ronald Harris, the (check one ☒ Plaintiff / ☒ Defendant, submits the following exhibits in support of my (title of motion / opposition you filed that these exhibits support) Contact with my children Motion. I understand that these are not considered substantive evidence in my case until formally admitted into evidence.

Table of Contents:

1. Letters from children & Ms. Figueroa
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

EXHIBIT 1

T.O : dad
From : Julian
coming home



dad I miss you
so much. I want
to talk to you
on card you.
I ~~am sorry~~

Happy ~~father's~~
fathers day.
Julian

wish you
right now. here 289

DADY I hope you
get out of Jail soon
I love you. When you send
us your next letter I hope
you will buy us cookies and
milk. But only me and you.
I drew you a picture. on
the front. I love you DADY.
Love River.

Hello,

So, I havent had a phone call from you in a while, which is fine, trust me I'm not complaining, but the kids have asked if you were going to call. I know you're a wiz @ remembering #'s but here it is again in case you forgot - 702-412-2617.

I'm sending these cards for you from the kids for Father's Day.

We have now moved - my new address is 3874 Calle De Este Las Vegas NV 89121

I dont know whats going on with your BMI. I've logged in and there is still nothing for over a year. I know your mom is your Power of Attorney, so she will need to contact BMI, unless she adds me to your BMI to speak on your behalf. But to be honest, I really dont want to have to deal with it.

Anyway, I dont have much to say. I just wanted to send you these cards, and give you my new address.

Jenn

**THIS SEALED
DOCUMENT,
NUMBERED PAGE(S)
292 - 294
WILL FOLLOW VIA
U.S. MAIL**

**THIS SEALED
DOCUMENT,
NUMBERED PAGE(S)
295 - 296
WILL FOLLOW VIA
U.S. MAIL**

SUB

Your Name: Ronald Harris #584414
Address: NECX PO Box 5000
City, State, Zip: Mtn. City, TN 37683
Telephone:
Email Address:

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Figueroa
Plaintiff,

vs.

Harris
Defendant.

CASE NO.: D-20-606828-C

DEPT: N

SUBPOENA - DUCES TECUM
(Records May Be Mailed in Lieu of
Appearance)

TO: Name of Person/Company: Google - Corporation Service Company
Address: 2710 Gateway Oaks Dr. Ste. 150 N
Sacramento, CA. 95833
Telephone No.: ?

YOU ARE HEREBY COMMANDED, that all and singular, business and excuses set aside,
you appear and produce the items requested on:

Date: (month) April (day) 26, 2022

Time: 3 ☐ a.m. ☒ p.m.

Address: Family Court Center 601 N. Pecos Rd. Las Vegas, NV 89101

In lieu of your appearance on the above date, the requested items may be produced,
along with the duly executed and notarized Certificate of Custodian of Records (attached as
Exhibit "B"), ^{two weeks} on or before the time and date set for your appearance. Send the documents to:

Name: Ronald Harris #584414

Address: NECX PO Box 5000
Mountain City, TN. 37683

1 YOU ARE FURTHER COMMANDED to bring with you at the time of your
2 appearance the following:

3 ITEMS TO BE PRODUCED

4 All emails to defendant's email address
5 dave@retrorewind.com - from
6 Jenniffer Harris, now Figveroa. From
7 April 1, 2016 through August 2016 From
8 these accts:
9

10
11 ChargerJenn@gmail.com
12 JennFig1976@gmail.com
13 Jenniffer.Harris1@gmail.com (that's a #1)
14 ↑

15 And any emails from the above (any-all)
16 address to anyone with a
17

18 @charitybuzz.com or similar type email
19 to Charitybuzz. Also any to Adam Bove
20 from charitybuzz. Email dates June,
21 2016 through October, 2016.
22

23
24 Notice the (2) N's and (2) F's. This is correct.
25
26
27
28

1 **CONTEMPT:** Failure by any person without adequate excuse to obey a subpoena
2 served upon that person may be deemed a contempt of the court that issued the subpoena.
3 NRCP 45(e.) If you fail to attend, you may also liable to pay all losses and damages caused by
4 your failure to appear and in addition forfeit \$100.00, and may be committed to jail. NRS
5 50.195, NRS 50.205.

6 Please see Exhibit "A" attached for information regarding the rights of the person
7 subject to this Subpoena.

8 The requested documents may also be provided in electronic format on a CD/flash drive.

10 STEVEN D. GRIERSON, CLERK OF COURT

11 By: [Signature] 3/28/16 
12 Deputy Clerk Date

15 Submitted By: (your signature) ▶
16 (print your name)

17 Rd Harris
18 Ronald D. Harris
19 ☐ Plaintiff / ☒ Defendant

Dear Clerk -

3-15-22

My name is Ronald Harris. I'm currently incarcerated in Tennessee. I'm defending a family court case against my ex-wife involving joint legal custody of our 4 children. I'm in of certain documents, records or things to defend my case. I'm filing these Duces Tecum Subpoenas. One to Google (Gmail) and the other to Global Tel-Link. I'm aware of the rules in Nevada regarding subpoenas and ~~foreign~~ ^{foreign} subpoenas. NV ST. 53.170. Obviously, I don't have the ability to bring these subpoenas into your office to have them stamped and issued.

Therefore I'm humbly asking you to issue and file them for me and then send them back to me ASAP so that I can send them to the clerks in CA. and VA. so that they can issue the foreign subpoenas and enable me to serve them. My NV Family Case is being heard on 4-26-22, so the sooner you can issue them and send them back to me, the sooner I can send them to Google & GTL. I'll be sure to send everything back, all paperwork, etc as soon as it's all served.

Thank you very much!

R. Harris

Ronald Harris #584414

NECX

P.O. Box 5000

Mountain City, TN.

37683

EXHIBIT "A" - NEVADA RULES OF CIVIL PROCEDURE RULE 45

(c) **Protection of Persons Subject to Subpoena.**

(1) **Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court that issued the subpoena must enforce this duty and may impose an appropriate sanction — which may include lost earnings and reasonable attorney fees — on a party or attorney who fails to comply.

(2) **Command to Produce Materials or Permit Inspection.**

(A) **Appearance Not Required.**

(i) A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(ii) If documents, electronically stored information, or tangible things are produced to the party that issued the subpoena without an appearance at the place of production, that party must, unless otherwise stipulated by the parties or ordered by the court, promptly copy or electronically reproduce the documents or information, photograph any tangible items not subject to copying, and serve these items on every other party. The party that issued the subpoena may also serve a statement of the reasonable cost of copying, reproducing, or photographing, which a party receiving the copies, reproductions, or photographs must promptly pay. If a party disputes the cost, then the court, on motion, must determine the reasonable cost of copying the documents or information, or photographing the tangible items.

(B) **Objections.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, or a person claiming a proprietary interest in the subpoenaed documents, information, tangible things, or premises to be inspected, may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The person making the objection must serve it before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made:

(i) the party serving the subpoena is not entitled to inspect, copy, test, or sample the materials or tangible things or to inspect the premises except by order of the court that issued the subpoena;

(ii) on notice to the parties, the objecting person, and the person commanded to produce or permit inspection, the party serving the subpoena may move the court that issued the subpoena for an order compelling production or inspection; and

(iii) if the court enters an order compelling production or inspection, the order must protect the person commanded to produce or permit inspection from significant expense resulting from compliance.

(3) **Quashing or Modifying a Subpoena.**

(A) **When Required.** On timely motion, the court that issued a subpoena must quash or modify the subpoena if it:

(i) fails to allow reasonable time for compliance;

(ii) requires a person to travel to a place more than 100 miles from the place where that person resides, is employed, or regularly transacts business in person, unless the person is commanded to attend trial within Nevada;

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies; or

(iv) subjects a person to an undue burden.

(B) **When Permitted.** On timely motion, the court that issued a subpoena may quash or modify the subpoena if it requires disclosing:

(i) a trade secret or other confidential research, development, or commercial information; or

(ii) an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) **Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order an appearance or production under specified conditions if the party serving the subpoena:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(d) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

STATE OF NEVADA) Case No.: _____
) ss. Dept.: _____
COUNTY OF)

1. That the deponent is the *(position or title)* _____
of *(name of employer)* _____ and in his or her capacity as *(position or title)* _____ is a custodian of records of *(name of employer)* _____

3. That on (date) _____ 20____, the deponent was served with a subpoena in connection with the above-entitled cause, calling for the production of records pertaining to

5. That the original of those records were made at or near the time of the act, event, condition, opinion or diagnosis recited therein by or from information transmitted by a person with knowledge, in the course of a regularly conducted activity of the deponent or (name of employer) _____.

SUBSCRIBED AND SWORN to before me this
day of _____, 20__.

304

SUB

Your Name: Ronald Harris # 584414

Address: NECX PO Box 5000

City, State, Zip: Mtn. City, TN 37683

Telephone: —

Email Address: —

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Jennifer FIGUEROA
Plaintiff,

vs.

Ronald Harris
Defendant.

CASE NO.: D-20-606828-C

DEPT: N

SUBPOENA - DUCES TECUM
(Records May Be Mailed in Lieu of
Appearance)

TO: Name of Person/Company: Global Tel-Link - Custodian of records
Address: 3120 Fairview PK Dr. #300
Falls Church, VA 22042
Telephone No.: 703-955-3910

YOU ARE HEREBY COMMANDED, that all and singular, business and excuses set aside,
you appear and produce the items requested on:

Date: (month) April (day) 26, 20 22

Time: 3 ☐ a.m. ☒ p.m.

Address: 601 N. Pecos Rd. Las Vegas, NV. 89101 (Family Law Center)

In lieu of your appearance on the above date, the requested items may be produced,
along with the duly executed and notarized Certificate of Custodian of Records (attached as
Exhibit "B"), ^{2 weeks} on or before the time and date set for your appearance. Send the documents to:

Name: Ronald Harris # 584414

Address: N.E.C.X. PO Box 5000
Mountain City, TN, 37683

1
2 **YOU ARE FURTHER COMMANDED** to bring with you at the time of your
3 appearance the following:

4 **ITEMS TO BE PRODUCED**

5 All recorded phone calls from the
6 phone acct of Ronald David Harris
7 N.E.C.X. Northeast Correctional Compound
8 Mtn. City, TN. 37683
9

10 to the phone # 702-412-2617


11 From 2018 - 2019. Especially a Feb 3, 2019
12 Call. Provide on a CD ROM, please.
13
14
15
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1 **CONTEMPT:** Failure by any person without adequate excuse to obey a subpoena
2 served upon that person may be deemed a contempt of the court that issued the subpoena.
3 NRCP 45(e.) If you fail to attend, you may also liable to pay all losses and damages caused by
4 your failure to appear and in addition forfeit \$100.00, and may be committed to jail. NRS
5 50.195, NRS 50.205.

6 Please see Exhibit "A" attached for information regarding the rights of the person
7 subject to this Subpoena.

8 The requested documents may also be provided in electronic format on a CD/flash drive.

9
10 STEVEN D. GRIERSON, CLERK OF COURT

11 By:   48 / 2017
12 Deputy Clerk Date

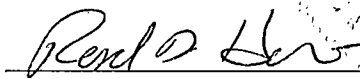
13
14 Submitted By: (your signature) ▶ 
15 (print your name) Ronald D. Harris
16 ☐ Plaintiff / ☒ Defendant
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EXHIBIT "A" - NEVADA RULES OF CIVIL PROCEDURE RULE 45

(c) Protection of Persons Subject to Subpoena.

(1) **Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court that issued the subpoena must enforce this duty and may impose an appropriate sanction — which may include lost earnings and reasonable attorney fees — on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) Appearance Not Required.

(i) A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(ii) If documents, electronically stored information, or tangible things are produced to the party that issued the subpoena without an appearance at the place of production, that party must, unless otherwise stipulated by the parties or ordered by the court, promptly copy or electronically reproduce the documents or information, photograph any tangible items not subject to copying, and serve these items on every other party. The party that issued the subpoena may also serve a statement of the reasonable cost of copying, reproducing, or photographing, which a party receiving the copies, reproductions, or photographs must promptly pay. If a party disputes the cost, then the court, on motion, must determine the reasonable cost of copying the documents or information, or photographing the tangible items.

(B) **Objections.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, or a person claiming a proprietary interest in the subpoenaed documents, information, tangible things, or premises to be inspected, may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The person making the objection must serve it before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made:

(i) the party serving the subpoena is not entitled to inspect, copy, test, or sample the materials or tangible things or to inspect the premises except by order of the court that issued the subpoena;

(ii) on notice to the parties, the objecting person, and the person commanded to produce or permit inspection, the party serving the subpoena may move the court that issued the subpoena for an order compelling production or inspection; and

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(A) **When Required.** On timely motion, the court that issued a subpoena must quash or modify the subpoena if it:

(i) fails to allow reasonable time for compliance;

(ii) requires a person to travel to a place more than 100 miles from the place where that person resides, is employed, or regularly transacts business in person, unless the person is commanded to attend trial within Nevada;

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies; or

(iv) subjects a person to an undue burden.

(B) **When Permitted.** On timely motion, the court that issued a subpoena may quash or modify the subpoena if it requires disclosing:

(i) a trade secret or other confidential research, development, or commercial information; or

(ii) an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) **Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order an appearance or production under specified conditions if the party serving the subpoena:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(d) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

EXHIBIT "B"
CERTIFICATE OF CUSTODIAN OF RECORDS

STATE OF NEVADA) Case No.: _____
) ss. Dept.: _____
COUNTY OF _____)

NOW COMES (*name of custodian of records*) _____,
who after first being duly sworn deposes and says:

1. That the deponent is the (*position or title*) _____
of (*name of employer*) _____ and in his or her capacity as (*position or*
title) _____ is a custodian of records of (*name of employer*) _____.

2. That (*name of employer*) _____ is licensed or registered
to do business as a _____ in the State of _____.

3. That on (*date*) _____ 20____, the deponent was served with
a subpoena in connection with the above-entitled cause, calling for the production of records
pertaining to _____.

4. That the deponent has examined the original of those records and has made or
caused to be made a true and exact copy of them and that the reproduction of them attached
hereto is true and complete.

5. That the original of those records were made at or near the time of the act, event,
condition, opinion or diagnosis recited therein by or from information transmitted by a person
with knowledge, in the course of a regularly conducted activity of the deponent or (*name of*
employer) _____.

Executed on: _____
(*date*) (*Signature of Custodian of Records*)

SUBSCRIBED AND SWORN to before me this
_____ day of _____, 20 ____.

NOTARY PUBLIC in and for the
County of _____, State of _____

Heather J. Shinn
CLERK OF THE COURT

EXHS
Name: Ronald Harris #584414
Address: NECX - PO BOX 5000
Mountain City, TN. 37683
Telephone: _____
Email Address: _____
In Proper Person

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Jennifer Figueroa

Plaintiff,
vs.
Ronald D Harris

Defendant.

CASE NO.: D-20-606828-C
DEPT: N
DATE OF HEARING: 4-26-22
TIME OF HEARING: 3 PM PST

EXHIBIT APPENDIX

(your name) Ronald D. Harris, the (check one ☒ ☐ Plaintiff
/~~(Defendant)~~, submits the following exhibits in support of my (title of motion / opposition you
filed that these exhibits support) Harris defense exhibits. I understand that
these are not considered substantive evidence in my case until formally admitted into evidence.

Table of Contents:

1. Charitybuzz.com document
2. Letter from Ms. Figueroa from June 2018
3. Letters to Mr. Harris from his sons Julian and River.
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

RECEIVED

MAR 21 2022

CLERK OF THE COURT

EXHIBIT 7

This is a print out from Charitybuzz to show that Ms. Figueroa received this money 10 (Ten) days before she had Mr. Harris arrested.

Approximately 8-26th or 27th - 2016 Ms. Figueroa created her GoFundMe page. In an effort to

gain sympathy and to exploit the case involving her daughter and Mr. Harris, she proceeded to

ask for money for plane tickets, moving trucks, hotels, storage units, etc from strangers, friends,

family and fans of Mr. Harris' radio show and songwriting/productions. She never once revealed

that she clearly had \$20,000 already, stolen from their needy family/children charity ~~your~~

~~Dream is our Dream~~ and did not need the money. Nor did she ever reveal she had years

worth of knowledge of alleged illegal activity between her daughter and Mr. Harris, nor that she had

"found" nude photos of her daughters years prior, or "found" an alleged sex video of her daughter

and Mr. Harris 4 months earlier, or that she was giving Mr. Harris "chances" - as

revealed to DCS & the police 5 days earlier by her daughter, etc. The first thing Ms. Figueroa

did with this \$20K was purchase a brand new iPhone (her first one). Not one dime went to

the charity. There will not be any record of

any purchases made by Mr. Harris. He had no idea that the money had been received. She (Ms. Figueroa) kept that a secret. No debit cards or anything used to spend this \$20K will come back to Mr. Harris. This is all Ms. Figueroa's doing. She's all about money and power. This should show the court who she really is, and what she's truly about.

Final Auction Report

Your Dream is Our Dream (3,797.00)

Your Dream is Our Dream August 2016 (11393)

Open Date: 8/12/2016 - Close Date: 8/12/2016



CHARITYBUZZ

Lot	Title	Name	Address	Phone	Email	Final Bid
1139300	Meet Sir Paul McCartney with 2 Premium Tickets & Sound Check Access on August 15 in Michigan	Andrew Wincel	442 23rd Street Brooklyn, NY 11218	408 671 1117	awincel@charitybuzz.com	25,000.00

Gross Auction Total 25,000.00

Charitybuzz Fee (20%) -5,000.00

Net Auction Total 20,000.00

Total Amount of Lots 1

187 E 14th Avenue 11th Floor, New York, NY 10003
Charitybuzz.com 800.245.2000

EXHIBIT 8

Harris EXHIBIT 8

This is a letter from Ms. Figueroa to Mr. Harris from June 2018. The highlighted sections clearly shows not only her negative behavior towards Mr. Harris, it also shows that his children clearly wanted to speak to their daddy. Mr. Harris left the County jail in late February 2018 to go to prison. He had to go to what's called classification for a few months and did not arrive at his prison months later. He did not have an access code or the ability to call his children until about the time he received Ms. Figueroa's letter. Up until he left for prison Mr. Harris spoke to his children on a regular basis. As you can see from Ms. Figueroa's letter and the letters from his two boys they wanted to speak to their daddy, all 4 kids. You can see what that 5 month absence did to the kids (wanted to talk to dad). Imagine what 3 years without talking to their dad has done.

Dear Court Clerk

3-15-22,

I'm incarcerated in TN. I'm defending a Custody (legal custody) case against my ex-wife. I believe I have submitted 6 (six) exhibits so far. I'm starting these with #7. I don't have a way to electronically file them and I'm pro se. Can you please file them for me?

Thank you Very Much.

Ronald D. Harris # 584414
N.E.C.X.

P.O. Box 5000

Mtn. City, TN.

37683-5000

P.S. Can you tell me how I go about submitting a YouTube link for a video I want to introduce into evidence? Or "EXHIBIT". It's related to the Case.

Hello,

So, I haven't had a phone call from you

~~in a while which is fine trust me I'm~~

~~not complaining but the kids have asked if~~

~~you were going to call I know you're a~~

with a remembering # is but here it is again

in case you forgot - 702-412-2417.

I'm sending these cards for you from

the kids for Father's Day.

We have now moved - my new address

is 3874 Calle De Este Las Vegas NV 89121

I don't know what's going on with your

BMI. I've logged in and there is still

nothing for over a year. I know your mom

is your Power of Attorney, so she will need

to contact BMI, unless she adds me to your

BMI to speak on your behalf. Put to

be honest, I really don't want to have to deal

with it.

Anyway, I don't have much to say. I just

wanted to send you these cards, and give you

my new address.

John

Harris Exhibit 9

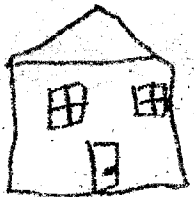
As you can see in these letters to their father, Julian who was 8 at the time said, "I miss you so much. I want to talk to you or call you. I wish you were here right now." And 6 year old River said, "I hope you get out of jail soon" and, "I love you, daddy."

This was written after 5 months of non-contact with their dad, not Mr. Harris' fault. Imagine what 3 years has done to them.

EXHIBIT 9

TO : dad

From : Julian
coming home



dad I miss you
so much. I want
to talk to you
on call you.
I ~~am not~~

Happy ~~father's~~
fathers day.
Julian

wish you
were here
right now. 327

DAD Y (2) I h o (1) you
get O u t o f J A I S o o n
I l a v e y o u . W h e n y o u e n d
u s y o u y n e x t l e t t e r I h o p
Y o u W i l l b u y u s c o o k i e s a n d
M i l k B u t o n l y m e a n d y o u .
I D r e w y o u a p i c t u r e . o n
T H E F r o o t . I b u y y o u D a d y .
- o v e r R i v e r .

Electronically Filed
04/06/2022

EXHS
Name: Ronald Harris # 584414
Address: NECX PO Box 5000
Mtn. City, TN. 37683
Telephone: _____
Email Address: _____
In Proper Person

Heather S. Levin
CLERK OF THE COURT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Jennifer Figueroa	CASE NO.: <u>D-20-606828-C</u>
Plaintiff,	DEPT: <u>N</u>
vs.	DATE OF HEARING: <u>4-26-22</u>
Ronald D Harris	TIME OF HEARING: <u>3pm</u>
Defendant.	

EXHIBIT APPENDIX

(your name) Ronald Harris, the (check one ☒ ☐ Plaintiff / ☒ Defendant, submits the following exhibits in support of my (title of motion / opposition you filed that these exhibits support) More Harris Exhibits. I understand that these are not considered substantive evidence in my case until formally admitted into evidence.

Table of Contents:

1. Photos of defendant with his children
2. Examples of defendant's Charity efforts for his son, River.
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____

DATED (month) March (day) 23, 2022
Submitted By: (your signature) [Signature]
(print your name) Ronald Harris

CERTIFICATE OF MAILING

I, (your name) Ronald Harris declare under penalty of perjury under the law of the State of Nevada that on (month) March (day) 23, 2022, I served this **Exhibit Appendix** by depositing a copy in the U.S. Mail in the State of Nevada, postage prepaid, addressed to:

Name of Person Served:

Jenn Figuera

Address:

3874 Calle De Este

City, State, Zip

Las Vegas, NV. 89121

DATED (month) March (day) 23, 2022
Submitted By: (your signature) [Signature]

EXHIBIT 10



—With Isabelle, Reagan & Julian



With Isabelle and River

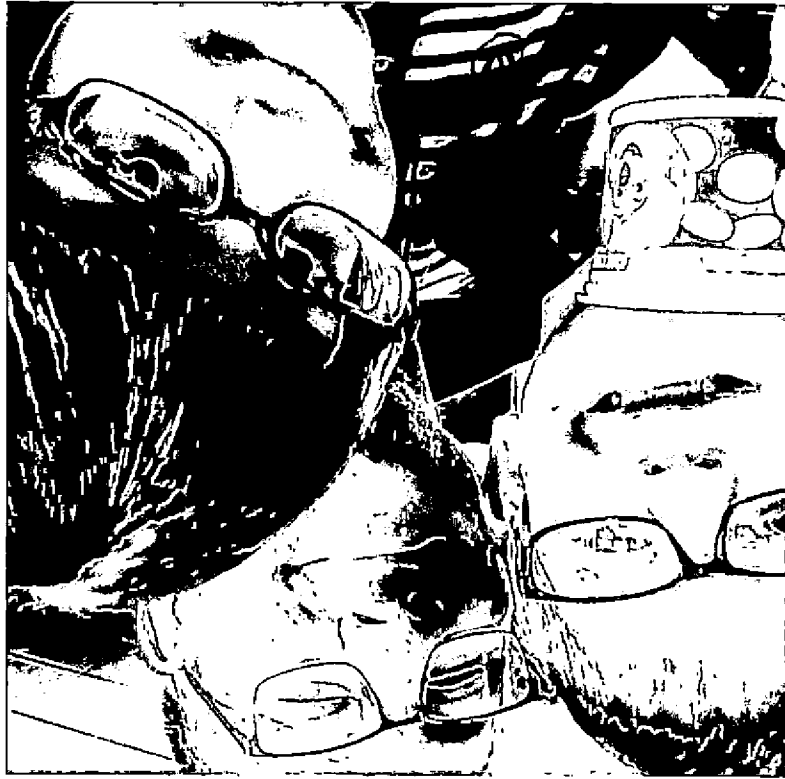


With River Harbaugh Harris With my friend and his
middle namesake Jim Harbaugh.



With River

With Reagan and Julian



With Reagan and Julian





With Isabelle who shares the same birthday as her father, the defendant.



With Isabelle

Album cover for the "All 4 U" charity single
to raise money and awareness for the Kawasaki
Disease Foundation. River and his daddy.



With River promoting the charity single
the defendant wrote and produced for
the Kawasaki Disease Foundation. River
survived this rare disease. "All 4 U"



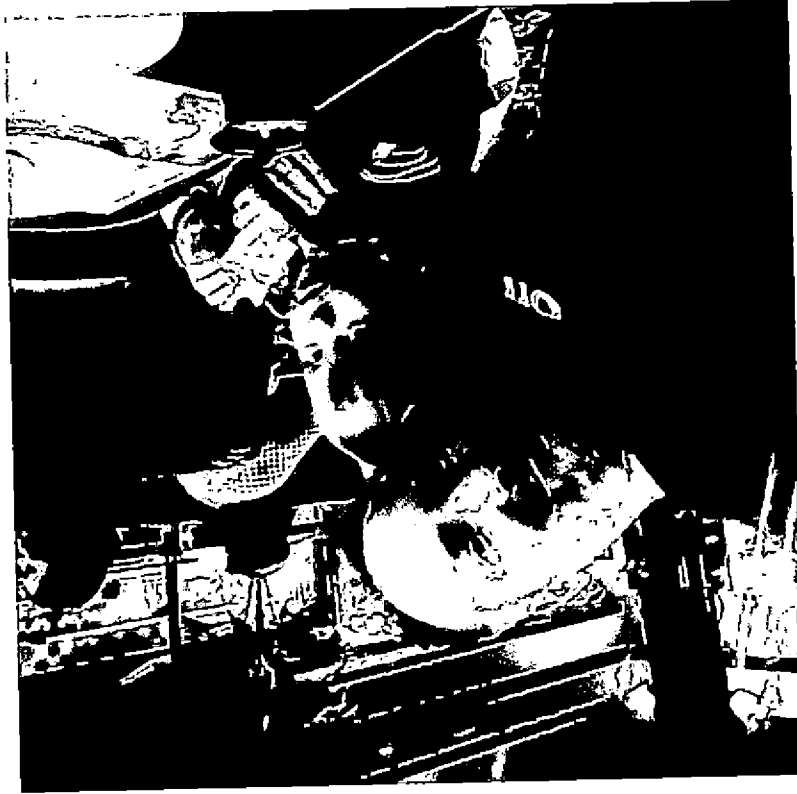
With Julian



With Isabelle and Julian



With River



With River at the hospital during
his fight with Kawasaki's Disease





Many of the defendant's family and friends have commented on how sad or withdrawn his four children are when posing for family photos without their father, especially Isabelle (blue dress) who shares a birthday with her father. This family photo is in stark contrast to the other photos taken with their father within these exhibits.

EXHIBIT II

Phil Naro Collaborates with Julian Lennon and Brian May for Kawasaki Disease Awareness and Research

Posted on April 15, 2015 by Joel Naphin



<img class="alignleft size-medium wp-image-

Back in December 2014, songwriter, producer and radio host Dave Harris was on YouTube when he came across one of Naro's videos doing a cover of *Your Love* by The Outfield – a band Harris managed in the late 90's.

"Dave contacted me to see if I would have any interest in being part of his charity album for a rare disease his son was a survivor of called Kawasaki Disease," said Naro. "I am always up to supporting good causes in any way I can."

Naro, Harris, and keyboardist Ben Crudup wrote *On Your Way Down* which was released on February 17, 2015 from the album *Songs From the Heart Vol. 1* – an album for Kawasaki Disease Awareness & Research. Kawasaki Disease, also known as Kawasaki Syndrome, is a serious illness characterized by inflammation of blood vessels throughout the body that primarily affects young children and infants. Kawasaki Disease is the leading cause of acquired heart disease in children. Although about 80 percent of patients are under five years of age, older children and teenagers can also get this as well but this is uncommon. Kawasaki Disease is more common in boys than girls, and the majority of cases are diagnosed in the winter and early spring. It is not contagious.

"After this release, I was asked to sing *Fallin' In Love* with Julian Lennon, Brian May (Queen guitarist), Ben Crudup and Dave Harris," said Naro. "It was an honor to be able to work with (these musicians)." But working with them didn't mean being in the same

room. Naro explained, "Julian, Brian, Dave, Ben and I recorded our parts in our home studios and sent them off to Dave Harris to be mixed."

The result, *Fallin' In Love*, was released on March 30, 2015 by label Murdock Entertainment and can be purchased on iTunes and Amazon!

Plans for Volume 2 is currently in the works! Naro, in the meantime, is keeping busy. This summer Naro is touring with Kim Mitchell in **The Kim Mitchell Band** and is recording with Lawrence Gowan (of **Styx**) for a new **Gowan** solo album to be released in 2016. This year Naro will also tour as lead vocalist with Gene Cornish from the popular 1960's soul band, **The Rascals** and also **Bulldog** and **FotoMaker**...

"We will have a schedule announcement soon as to when and where **Gene Cornish and the Dangerous Lovers – featuring Phil Naro** will be performing," said Naro. The band will also include drummer Steve Holley (**Paul McCartney and Wings, Ian Hunter**), bassist Gary Van Scyoc (**John Lennon, Elephants Memory**), guitarist Mark Brandenburg (Guitar Club For Men), keyboardist/vocalist Billy Alessi (Barnabe Bye, solo artist) and guitarist/vocalist Bobby Alessi (Barnabe Bye, solo artist).

Help support the Kawasaki Disease Awareness & Research. It's a great cause with great musicians!

"I would like to personally thank Dave Harris for finding and asking me to be part of this project," Naro concluded.

To Connect Online and For Updates:

Julian Lennon [Grammy Nominated and Platinum recording artist and photographer]

Brian May [Smile, Queen and The Brian May Band]

Ben Crudup [Keyboardist]

Dave Harris [The Dave Harris Project]

<https://www.facebook.com/RetroRewind/about> and <http://www.retrorewind.com/>

The Dave Harris Project for Kawasaki Disease

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Discography Browser



Dave Harris Project

Songs from the Heart, Vol. 1 (For Kawasaki Disease Awareness & Research)

AllMusic Rating

User Ratings (1)

Your Rating

[Overview](#)[User Reviews](#)[Credits](#)[Releases](#)[Similar Albums](#)[Share on](#)

User Reviews

There are no user reviews for this album. [Sign up](#) or [Log In](#) to your AllMusic Account to write a review.

Track Listing

	Title/Composer	Performer	Time
1	All I Need R. David Harris	Dave Harris Project	3:51
2	Stay Aaron English / R. David Harris	Dave Harris Project	4:09
3	Fallin' In Love R. David Harris / Julian Connor / Jonny Miller	Dave Harris Project	4:04
4	Channeling Julia R. David Harris	Dave Harris Project	4:16
5	Meet Me In Memphis Jay Gore / Scott Grimes / R. David Harris	Dave Harris Project	4:00
6	I Had You R. David Harris / John Paul	Dave Harris Project	5:06
7	On Your Way Down Ben Crudup / R. David Harris / Phil Naro	Dave Harris Project	3:26
8	Dyin' R. David Harris	Dave Harris Project	3:54
9	Go! Dickie Chapin / R. David Harris / Michael J. Willett	Dave Harris Project	3:42

MUSIC

LIVE ALBUMS

[CLOSE](#)

11	Young & Wise Scott Grimes / R. David Harris	Dave Harris Project	5:09
----	--	---------------------	------



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Songs From The Heart

Volume one

Dave Harris Project

Songs from the Heart, Vol. 1 (For Kawasaki Disease Awareness & Research)

Amazon.com

Amazon.co.uk

AllMusic Rating



User Ratings (1)

Your Rating



Overview

User Reviews

Credits

Releases

Similar Albums

User Reviews

Share on



There are no user reviews for this album. Sign up or Log In to your AllMusic Account to write a review.

Discography Browser



Stream or buy on:

amazon

Release Date February 16, 2015

Genre Pop/Rock

Submit Corrections

Track Listing

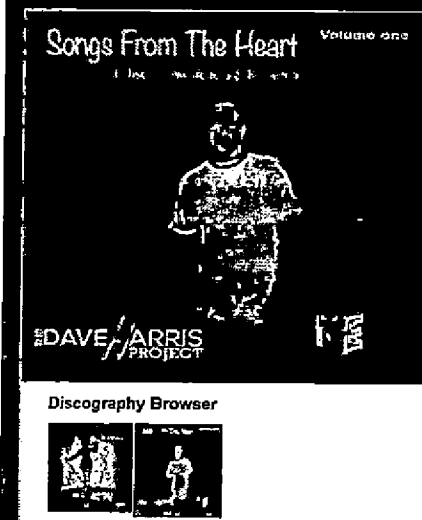
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8	Dyin' (R. David Harris)	Dave Harris Project	3:54
9	Go! Debbie Chapin / R. David Harris / Michael J. Willett	Dave Harris Project	3:42
10			4:04

CLOSE



	Title/Composer	Performer	Time
	The Ha Dave Harris	Dave Harris Project	
11	Young & Wise Scott Giamber / Dave Harris	Dave Harris Project	5:09

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Stream or buy on:

amazon

Release Date February 16, 2015

Genre Pop/Rock

Submit Corrections

Dave Harris Project

Songs from the Heart, Vol. 1 (For Kawasaki Disease Awareness & Research)

Add to Current List

Add to My Collection

AllMusic Rating

★★★★★

User Ratings (1)

Your Rating

★★★★★

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Releases

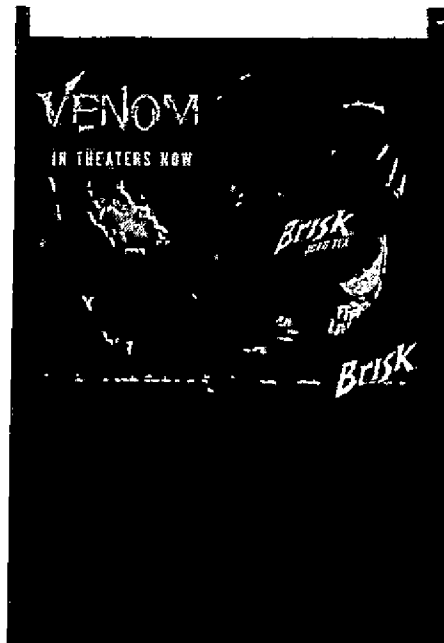
Similar Albums

Credits

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Facebook
Twitter
LinkedIn

Artist	Credit
Brad Bass	Mixing, Producer
Dickie Chapin	Composer, Producer
Chris Crabb	Featured Artist, Guest Artist, Vocals
Ben Crudup	Composer, Keyboards, Producer, String Arrangements
Dave Harris Project	Primary Artist
Aaron English	Composer, Featured Artist
Cosmic Geppo	Featured Artist, Guitar
Vince Gill	Featured Artist, Guitar
Jay Gore	Composer
Scott Grimes	Composer
Don Gunn	Drum Programming, Drums, Engineer, Mixing, Percussion
R. David Harris	Bass, Composer, Drums, Guitar, Keyboards, Mixing, Producer, String Arrangements, Vocals (Background)
Dan Hawkins	Bass
An Honest Year	Bass, Drums, Featured Artist, Guitar, Keyboards, Producer, Vocals
The John Paul Band	Featured Artist

CLOSE



Artist	Credit
Will Jones	Drums
Kevin Laurence	Featured Artist, Keyboards, Vocals
Indian Lennon	Composer, Featured Artist, Guest Artist, Vocals
Brian May	Guitar
John McCall	Mastering
Jonny Miller	Bass, Composer
Mishavonna	Featured Artist, Vocals, Vocals (Background)
Phil Naro	Composer, Featured Artist, Producer, Vocals, Vocals (Background)
Steven Oates	Bass
John Paul	Composer, Producer, Vocals
Benny Quinn	Mastering
The Ramones	Bass, Drums, Featured Artist, Guitar, Producer, Vocals
Keith Scott	Featured Artist, Guitar
Andrew Smith	String Arrangements, Strings
Robert Venable	Engineer
Pete Whitfield	String Arrangements, Strings
Michael J. Willett	Composer, Featured Artist, Vocals, Vocals (Background)
Chris Wilson	Featured Artist, Vocals, Vocals (Background)

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Surrender (Beatman Remix) (feat. Mic)
Surrender (Beatman Remix) (feat. Micha



In Love Alone (feat. Michael J. Willett)
Grandiose Delusions (Deluxe Edition) (fe



You're Easy to Love (Sara's Song) (fe
Grandiose Delusions (Deluxe Edition) (fe



Go! (feat. Michael J. Willett)
Grandiose Delusions (Deluxe Edition) (fe



Live a Little (feat. Michael J. Willett &
Grandiose Delusions (Deluxe Edition) (fe



Surrender (feat. Michael J. Willett & Jo
Grandiose Delusions (Deluxe Edition) (fe



All Mine (feat. Michael J. Willett)
Grandiose Delusions (Deluxe Edition) (fe



Cathy (feat. Michael J. Willett)
Grandiose Delusions (Deluxe Edition) (fe



The Ride (feat. Michael J. Willett)
Grandiose Delusions (Deluxe Edition) (fe

Albums



Let You Go (feat. Juli)
2015



Surrender (Beatman
2015



Grandiose Delusio
2015



Songs from the Heart
2015



Falling in Love (feat. P
2015



All 4 U (feat. Micky P
2015

All charity based albums

Listeners Also Bought

See All



Started Over - Single
Willch



This Side of Paradise
Hayley Kiyoko



Glee Sings the Beach
Glee Cast



Louder (Deluxe Versi
Lia McHugh



Body Say - Single
Demi Lovato



Better Together - EP
Fifth Harmony

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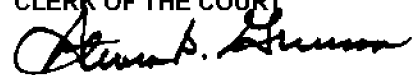
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FILING CODE: OPPS

Your Name: Jennifer Figueroa

Address: 3874 Calle de Este

Las Vegas NV 89121

Telephone: 702-412-2617

Email Address: jennfig1976@gmail.com

Self-Represented

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Jennifer Figueroa

Plaintiff,

vs.

Ronald David Harris

Defendant.

CASE NO.: D-20-606828-C

DEPT: N

DATE OF HEARING: April 26, 2022

TIME OF HEARING: 3:00pm

Optional: If an in-person hearing is not currently set, would you like one? (☒ check one, the clerk will set a hearing if needed)

☐ Yes. Hearing Date: _____

Hearing Time: _____

☐ No.

OPPOSITION TO Contact and Custody Motion

(title of the motion you are opposing)

(Your name) Jennifer Figueroa files this
opposition to the motion referenced above.

Financial Disclosure Form ("FDF") Certification. (☒ check one)

☒ This matter does not have anything to do with money or financial relief.

☐ I understand that I must file my FDF within 3 days of filing this opposition to support my request for financial relief. Failure to file a timely, complete, and accurate FDF may result in the court ruling against me and/or imposing sanctions.

☐ I filed a FDF in the last 6 months and have no material changes to report.

POINTS AND AUTHORITIES

LEGAL ARGUMENT. *(explain all relevant laws and legal authorities that support your position. If you do not provide and explain the legal basis that supports each of your requests, your requests may be considered without merit and denied.)*

Mr. Harris is currently incarcerated in prison, serving a 30 year sentence as a sex offender.

He is located at NECX Prison at 5249 Highway 67 West, PO BOX 5000 Mountain City, Tennessee.

FACTS AND ARGUMENT *(explain all relevant facts the judge needs to know to make a decision)*

I have attached a seperate sheet discussing the relevant facts as to why Mr. Harris should not have any type or custody or contact with his children.

Please See attached...

(attach additional pages if more space is needed)

CONCLUSION *(explain what you want the judge to order)*

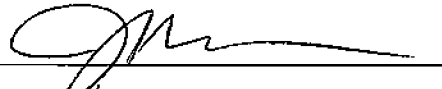
I respectfully ask the Court to grant me the following, including an award of attorney's fees if I am able to retain an attorney for this matter, and any other relief the Court finds appropriate.

1. Deny the other party's motion;
2. I continue to have 100% Full Custody of our children.
3. No contact order for myself (Jenniffer Figueroa) & any of the children.

DATED April 20, 20 22

Submitted By: (your signature) _____

(print your name) _____


JENNIFER FIGUEROA

DECLARATION IN SUPPORT OF OPPOSITION

I declare, under penalty of perjury:


- a. I have read the foregoing opposition, and the factual averments it contains are true and correct to the best of my knowledge, except as to those matters based on information and belief, and as to those matters, I believe them to be true. Those factual averments contained in the referenced filing are incorporated here as if set forth in full.
- b. Any Exhibit(s) in support of this Opposition will be filed separately in an Exhibit Appendix.

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

DATED April 20, 20 22

Submitted By: (your signature) _____

(print your name) _____


JENNIFER FIGUEROA

Jennifer Figueroa
3874 Calle de Este
Las Vegas, NV 89121
702-412-2617
Jennfig1976@gmail.com

☒ Plaintiff / ☐ Defendant, In Proper Person

District Court

CLARK COUNTY, NEVADA

Jennifer Figueroa

Plaintiff(s),

vs.

Ronald David Harris

Defendant(s).

Case No.: D-20-606828-C
Dept. No.: N
Date of Hearing: April 26th, 2022
Time of Hearing: 3:00 PM

ANSWER TO COMPLAINT FOR CUSTODY

When Mr. Harris was first incarcerated in 2016, I allowed him to write and call the kids because they were so young (ages 9, 6, 6, & 4) and only knew he was in jail and not why. But by 2019 Mr. Harris grew increasingly volatile and tried to control me over the phone calls. In my opinion, he had convinced himself that he did nothing wrong, that I stole all his property and that somehow he had been wrongly incarcerated.

I will remind the court that at the time of his arrest, Mr. Harris had over 3000+ movies and pictures with his victim (my daughter Sara) with whom he took her virginity when she was just 12 years old. He had been a father figure to her since she was just 5 years old. This was not a he said-she said situation, there was so much evidence against Mr. Harris that he knew that the only chance he had of ever getting out of prison was by pleading guilty.

1 In the exhibit I am presenting, Mr. Harris is directly quoted on page 12 in the last
2 paragraph by saying:

3 "that 12 jurors would basically crucify me, and I would get, what, 13 charges times 30
4 years. Like 190 years or something crazy."

5 Mr. Harris' aggressive behavior with letters and phone calls with me, as well as his
6 obsessive behavior of sending hundreds of letters to my Daughter Sara (again his victim), I
7 decided that cutting all ties with Mr. Harris was what was best for the children. Mr. Harris is a
8 violent sex offender, who will have to register as such when he gets out in 24 years. He is a
9 narcissist and a sociopath that wants to convince his children that their mommy is a bad person
10 who put their daddy in jail. When the facts are, that Mr. Harris put HIMSELF in jail by starting
11 to violate my daughter repeatedly at just 12 years old (not including the time he groomed her
12 before that).

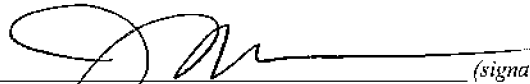
13 I do not talk about Mr. Harris to our children, or anyone for that matter. We don't discuss
14 why he is in prison. I know that eventually they will google their dad, and find out who he is.
15 Unfortunately that is the nature of public records and the internet.

16 In December 2021, when we had the last court date, I uploaded a lot of exhibits, so as
17 those exhibits are already filed for this case, the only exhibits I am presenting to the court at this
18 time are the final documents of his (failed) appeal for post conviction relief. The appeals court
19 affirmed the decision regarding his post conviction relief. In this document you can see that Mr.
20 Harris is not a victim, he is a predator. The fact that Mr. Harris is a sex offender (regardless if his
21 victim is his blood or not, [Mr. Harris likes to argue that because his victim was not his blood, he
22 should still have rights to his blood children]), Mr. Harris plead guilty, and he is incarcerated for
23 the next 24 years.

1 When he gets out he has to register as a violent sex offender, and he continues to take no
2 accountability for what he has done. Therefore, Mr. Harris should NOT have any rights to his
3 children or be allowed to be around ANY children ever.

4
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8
9 DATED this 20th day of APRIL, 2022

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

12  (signature)

13 Jenniffer Figueroa
14 3874 Calle De Este
15 Las Vegas, NV 89121
16 702-412-2617
17 Jennfig1976@gmail.com

18 ☒ Plaintiff / ☐ Defendant, In Proper Person
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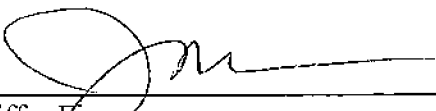
1
2 **CERTIFICATE OF MAILING**

3 I HEREBY CERTIFY that on the 20 day of APRIL, 2022, I placed a true and
4 correct copy of the foregoing ANSWER TO COMPLAINT FOR CUSTODY in the United
5 States Mail, with first-class postage prepaid, addressed to the following:

6 Ronald David Harris #584414
7 NECX PO Box 5000
8 Mountain City, TN 37683

9 DATED this 20 day of APRIL, 2022

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

12 
13 _____ (signature)
14 Jennifer Figueroa
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Heather L. Smith
CLERK OF THE COURT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

* * *

Jenniffer Figueroa, Plaintiff.

Case No: D-20-606828-C

vs.

Department N

Ronald David Harris, Defendant.

MINUTE ORDER

NRCP 1 states that the procedure in district courts “**should** be construed, administered, and employed by the Court and the parties to secure the just, *speedy, and inexpensive determinations in every action and proceeding.*”

This Court was advised on 04/21/2022 that Defendant had filed a Motion to Disqualify. Accordingly, it is required that the Chief Judge rule on the motion before this Court can proceed. As this may not occur before the evidentiary hearing date set on 04/26/2022, the trial is VACATED. This Court will re-set the trial date once it has received a ruling from the Chief Judge.

IT IS FURTHER NOTED that this case is only temporarily assigned to this department to address the limited issue on remand. Thereafter, pursuant to the Minute Order entered 12/06/2021 by the Presiding Judge, this case will then be reassigned back to Department Z. Accordingly, any other relief that Defendant seeks (other than the legal custody issue from the remand) will need to be set before Department Z.

SO ORDERED

HONORABLE MATHEW P. HARTER

Dated this 22nd day of April, 2022

MEF


61B 789 A6A4 7B53
Mathew Harter
District Court Judge

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CERTIFICATE OF SERVICE

I hereby certify that on the above file stamped date I submitted this Order so that each party will be either electronically served, emailed, or mailed a copy of this Order.

/s/ Mark Fernandez
Mark Fernandez
Judicial Executive Assistant
Department N

1 **CSERV**

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

5
6 **Jenniffer Figueroa, Plaintiff.**

CASE NO: D-20-606828-C

7 **vs.**

DEPT. NO. Department N

8 **Ronald David Harris, Defendant.**

9
10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 **Service Date: 4/22/2022**

15 **Jenniffer Figueroa**

jennfig1976@gmail.com

16
17 If indicated below, a copy of the above mentioned filings were also served by mail
18 via United States Postal Service, postage prepaid, to the parties listed below at their last
19 known addresses on 4/25/2022

20 **Ronald Harris**

NECX PO BOX 5000

#584414

Mountain City, TN, 37683

DISTRICT COURT
CLARK COUNTY, NEVADA

JENNIFER FIGUEROA,

Plaintiff,

v.

RONALD DAVID HARRIS,

Defendant.

Case No. D-20-606828-C

Dept. N

**AFFIDAVIT IN RESPONSE TO DEFENDANT'S
REQUEST FOR DISQUALIFICATION**

STATE OF NEVADA

COUNTY OF CLARK

SS.

I, JUDGE MATHEW HARTER, being first duly sworn under oath, state as follows:

1. This Affidavit is being filed pursuant to NRS 1.235(5) as when a party files a motion for a district court judge's disqualification in a case, the judge must either immediately reassign the matter if there is any bias or file an affidavit with the Clerk's Office within 5 *judicial days*. It is noted that Defendant never properly served his Motion to Disqualify. Affiant was only made aware of said Motion on 04/21/2022 by his staff when reviewing the record for the trial set next week.

2. Defendant's stated reasons are he is "concerned" that Affiant will be biased because he prevailed on his appeal. Further, that Affiant might be biased against incarcerated persons. Affiant harbors no animus against Defendant. Affiant further has no animus against any litigant simply because they prevailed on an appeal or based on the fact they are incarcerated.

3. IT IS FURTHER NOTED that this case is only *temporarily* assigned to this department to address the limited issue on remand. Thereafter, pursuant to a Minute Order entered 12/06/2021 by the Presiding Judge, this case will then be reassigned back to Department Z.

4. This Affidavit is being filed pursuant to the aforementioned statute as Affiant believes that there is *no* basis to reassign the case under this particular statute or process as Affiant has *no*

1 **bias (actual or implied)** toward Defendant. Affiant takes his *duty to sit* seriously. *Millen v.*
2 *Eighth Judicial Dist. ex rel. Cnty. of Clark*, 122 Nev. 1245, 148 P.3d 694 (2006).

3 5. Pursuant to NRS 53.045, I declare under penalty of perjury under the laws of the State
4 of Nevada that the foregoing is true and correct.

6 HONORABLE MATHEW P. HARTER

7 Dated this 22nd day of April, 2022

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A handwritten signature in black ink, appearing to read 'Mathew Harter', is written over a horizontal line.

4FA 0AE AFDF BCD9
Mathew Harter
District Court Judge

1 **CSERV**

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

5
6 **Jenniffer Figueroa, Plaintiff.**

CASE NO: D-20-606828-C

7 **vs.**

DEPT. NO. Department N

8 **Ronald David Harris, Defendant.**

9
10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 **Service Date: 4/22/2022**

15 **Jenniffer Figueroa**

jennfig1976@gmail.com

16
17 If indicated below, a copy of the above mentioned filings were also served by mail
18 via United States Postal Service, postage prepaid, to the parties listed below at their last
19 known addresses on 4/25/2022

20 **Ronald Harris**

NECX PO BOX 5000

#584414

Mountain City, TN, 37683

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
5/3/2022 8:10 AM
Steven D. Grierson
CLERK OF THE COURT



Jenniffer Figueroa, Plaintiff.

vs.

Ronald David Harris, Defendant.

Case No.: D-20-606828-C

Department N

NOTICE OF HEARING

Please be advised that the Motion to Disqualify Judge in the above-entitled matter is set for hearing as follows:

Date: May 12, 2022

Time: 10:30 AM

Location: RJC Courtroom 10C
Regional Justice Center
200 Lewis Ave.
Las Vegas, NV 89101

NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Cecilia Dixon
Deputy Clerk of the Court

CERTIFICATE OF SERVICE

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Cecilia Dixon
Deputy Clerk of the Court

Heather L. Hemin
CLERK OF THE COURT

EXHS

Name: Ronald Harris #584414

Address: NECX PO BOX 5000

Mountain City, TN 37683

Telephone: _____

Email Address: _____

In Proper Person

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Jennifer Figueroa

Plaintiff,

vs.

Ronald D Harris

Defendant.

CASE NO.: D-20-606828-C

DEPT: N

DATE OF HEARING: 4-26-22

TIME OF HEARING: 3 pm

EXHIBIT APPENDIX

(your name) Ronald Harris, the (check one ☒ ☐ Plaintiff

☒ Defendant, submits the following exhibits in support of my (title of motion / opposition you filed that these exhibits support) Video link to "EXTRA" spotlight. I understand that

these are not considered substantive evidence in my case until formally admitted into evidence.

Table of Contents:

1. Link to Video Segment on "EXTRA" story on son, River
2. _____
3. _____
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RECEIVED

APR 21 2022

CLERK OF THE COURT

11. _____
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20. _____

DATED (month) April (day) 14, 2022

Submitted By: (your signature) [Signature]
(print your name) Ronald David Harris

CERTIFICATE OF MAILING

I, (your name) Ronald D. Harris declare under penalty of perjury under the law of the State of Nevada that on (month) April (day) 14, 2022, I served this **Exhibit Appendix** by depositing a copy in the U.S. Mail in the State of Nevada, postage prepaid, addressed to:

Name of Person Served: Jennifer Figueroa
Address: 3874 Calle de Este
City, State, Zip: Las Vegas, NV, 89121

DATED (month) April (day) 14, 2022

Submitted By: (your signature) ▶ [Signature]

RECEIVED
APR 14 2022
CLERK OF DISTRICT COURT

HARRIS
EXHIBIT 13 or 14 (next in line Ex.)

IN APRIL 2016 THE DEFENDANT WAS FEATURED, ALONG WITH HIS SON, RIVER, ON THE NATIONALLY SYNDICATED TELEVISION ENTERTAINMENT PROGRAM, "EXTRA." THIS 60 SECOND SPOTLIGHT IS RELEVANT TO THE CUSTODY CASE NOT ONLY TO SHOW THE DEFENDANT'S CHARITABLE WORK, IN STARK CONTRAST THE PLAINTIFF'S EMBEZZLEMENT OF CHARITABLE FUNDS, BUT TO SHOW MOST IMPORTANTLY THE BOND AND DEDICATION BETWEEN THE DEFENDANT AND HIS YOUNGEST CHILD, RIVER, ONE OF THE FOUR CHILDREN HE SHARES WITH THE PLAINTIFF. RIVER SURVIVED A RARE DISEASE (KAWASAKI'S DISEASE) AND THE DEFENDANT WROTE AND PRODUCED A SONG TO RAISE AWARENESS AND FUNDS FOR THE KAWASAKI DISEASE FOUNDATION, WITH THE HELP FROM FRIENDS. THE EXACT LINK TO THE VIDEO IS: [YOUTU.BE/9yBTDH7HpNc](https://youtu.be/9yBTDH7HpNc) OR BY SEARCHING YOUTUBE ITSELF FOR: "EXTRA FEATURES THE DAVE HARRIS PROJECT ABOUT #ALL4UKDF CAMPAIGN RIVER'S STORY." IT IS WORTH INFORMING THE COURT THAT AS A RESULT OF HIS HEALTH SCARE RIVER'S HEART IS SUPPOSED THE BE CHECKED EVERY 3 YEARS FOR THE REST OF HIS LIFE. THE DEFENDANT IS NOT SURE IF THE PLAINTIFF IS EVEN SEEING TO ~~RIVER~~ RIVER'S HEALTHCARE. YET ANOTHER REASON THE DEFENDANT SHOULD HAVE A SAY IN HIS CHILDREN'S HEALTHCARE.

Heather S. Ginn
CLERK OF THE COURT

NOTC

Your Name: Ronald Harris #584414

Address: NECX PO Box 5000

City, State, Zip: Mtn. City, TN 37683

Phone: _____

Email: _____

Self-Represented

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Figueroa

Plaintiff,

vs.

Harris

Defendant.

CASE NO.: D-20-666828-C

DEPT: N

NOTICE OF INTENT TO SERVE SUBPOENA

PLEASE TAKE NOTICE that a Subpoena commanding the production of documents, electronically stored information, or tangible items, or inspection of premises before trial has been issued. A copy of the Subpoena is attached.

The Subpoena will be served on the person to whom it is directed in not less than seven days from the date of this notice.

DATED April 15, 2022

(your signature) ▶ *Ronald Harris*

(print your name) Ronald Harris

RECEIVED

MAY 02 2022

CLERK OF THE COURT

CERTIFICATE OF MAILING

I, (your name) Ronald Harris declare under penalty of perjury
under the law of the State of Nevada that I served this *Notice of Intent to Serve Subpoena* and
Subpoena on (date of mailing: month) April (day) 15, 2022, by
depositing a copy in the U.S. Mail in the State of Nevada, postage prepaid, addressed to:

Name of Opposing Party/Attorney: Jenniffer Figueroa
Address: 3874 Calle De Este
City, State, Zip: Las Vegas, NV 89121

DATED April 15, 2022

(your signature) ▶

[Signature]

Heather L. Smith
CLERK OF THE COURT

NOTC

Your Name: Ronald Harris # 584414
Address: NECX PO BOX 5000
City, State, Zip: Mountain City, TN 37683
Phone:
Email:
Self-Represented

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Figueroa
Plaintiff,
vs.
Harris
Defendant.

CASE NO.: D-20-606828-C
DEPT: N

NOTICE OF INTENT TO SERVE SUBPOENA

PLEASE TAKE NOTICE that a Subpoena commanding the production of documents, electronically stored information, or tangible items, or inspection of premises before trial has been issued. A copy of the Subpoena is attached.

The Subpoena will be served on the person to whom it is directed in not less than seven days from the date of this notice.

DATED April 15, 2022

(your signature) ▶ *Ronald Harris*

(print your name) Ronald Harris

RECEIVED
APR 01 2022
CLERK OF THE COURT
Notice of Subpoena

CERTIFICATE OF MAILING

I, (your name) Ronald Harris declare under penalty of perjury under the law of the State of Nevada that I served this **Notice of Intent to Serve Subpoena** and **Subpoena** on (date of mailing: month) April (15) (day) 15, 2022, by depositing a copy in the U.S. Mail in the State of Nevada, postage prepaid, addressed to:

Name of Opposing Party/Attorney: Jenn Figueroa

Address: 3874 Calle De Este

City, State, Zip: Las Vegas, NV, 89121

DATED April 15, 2022

(your signature) ▶ [Signature]

Heather S. Harter

CLERK OF THE COURT

1 **DAO**

2 **EIGHTH JUDICIAL DISTRICT COURT**

3 **CLARK COUNTY, NEVADA**

4
5 JENNIFER FIGUEROA,

6 Plaintiff,

7 vs.

8 RONALD DAVID HARRIS,

9 Defendant.

Case No. D-20-606828-C

Dept. No. N

10 **DECISION AND ORDER**

11
12 Defendant Harris filed a Motion to Disqualify Judge Harter on March 23, 2022. Defendant
13 alleges that Judge Harter is biased and/or prejudiced against him as a result of an appellate decision
14 from the Nevada Court of Appeals, and that Defendant is incarcerated. Based on a review of the
15 Motion, Judge Harter's response, and the relevant record, pursuant to EDCR 2.23(c), Defendant's
16 request is denied.

17 **I. Factual and Procedural Background**

18 On April 22, 2020, Plaintiff initiated the instant custody matter against Defendant. Defendant
19 was incarcerated in Tennessee at the time the matter was initiated. The matter was assigned to Dept.
20 N, Judge Harter. On May 22, 2020, the court issued a Case Management Conference order, stating
21 that Plaintiff and Defendant were electronically served with the order, despite Defendant's
22 incarceration in Tennessee. Defendant did not appear for the scheduled Case Management
23 Conference, and the court thereafter granted sole physical and legal custody to Plaintiff. On July 22,
24 2020, the custody decree was entered. Thereafter, Defendant appealed the decision. On November 5,
25 2021, the Nevada Court of Appeals entered an order reversing and remanding the decree for further
26 proceedings, finding that Defendant's due process rights were violated without providing proper
27 notice or opportunity to be heard, and the court had abused its discretion. Because the Court of
28

LINDA MARIE BELL
DISTRICT JUDGE
DEPARTMENT VII

1 Appeals found Defendant was deprived of a full and fair hearing, the matter was remanded for
2 further proceedings consistent with the remainder of its order.

3 Meanwhile, during the appeal timeframe, the instant matter and its companion divorce matter
4 were administratively reassigned to Judge Mercer, Dept. Z. On December 6, 2021, presiding Judge
5 Burton reassigned the instant matter back to Judge Harter, consistent with the Court of Appeals
6 order. Judge Burton explained that following the limited question of the further proceedings as
7 directed on remand, the matter would return to Dept. Z. The matter was set for an evidentiary
8 hearing for April 26, 2022, which was vacated upon Dept. N discovering Defendant's instant Motion
9 to Disqualify.

10 On March 23, 2022, Defendant filed the instant Motion to Disqualify, alleging that he fears
11 that Judge Harter will be biased against him in future proceedings because he prevailed on appeal,
12 and remains incarcerated. Further, Defendant states that Judge Harter told Plaintiff, "You have a
13 good day. Stay safe and healthy," following a hearing, and that this "comes across a little biased."

14 On April 22, 2022, Judge Harter responded to the Affidavit, pursuant to NRS 1.235(6). Judge
15 Harter points out that Defendant's Motion was not served upon him properly, and therefore, his
16 Affidavit in Response was not filed within five judicial days per the statute. In his response, Judge
17 Harter states that he holds no bias against Defendant as a result of the decision from the Court of
18 Appeals, and further, he holds no bias against Defendant. Judge Harter notes that this matter is
19 assigned to him only temporarily to address the issue on remand from the Court of Appeals, and
20 thereafter, the case will go back to Judge Mercer (Dept. Z) for any further proceedings.

21 As a result of the above, this Court now finds as follows.

22 **II. Discussion**

23 **A. Legal Standard**

24 Nevada Revised Statute 1.230 provides the statutory grounds for disqualifying district Court
25 judges. The statute in pertinent part provides:

- 26 1. A judge shall not act in an action or proceeding when the judge entertains actual
27 bias or prejudice for or against one of the parties to the action.
- 28 2. A judge shall not act as such in an action or proceeding when implied bias exists
in any of the following respects:

- (a) When the judge is a party to or interested in the action or proceeding.
- (b) When the judge is related to either party by consanguinity or affinity within the third degree.
- (c) When the judge has been attorney or counsel for either of the parties in the particular action or proceeding before the court.
- (d) When the judge is related to an attorney or counselor for either of the parties by consanguinity or affinity within the third degree. This paragraph does not apply to the presentation of ex parte or contested matters, except in fixing fees for an attorney so related to the judge.

Rule 2.7 of the Revised Nevada Code of Judicial Conduct (NCJC) provides that a “judge shall hear and decide matters assigned to the judge, except when disqualification is required by Rule 2.11,” the rule which details substantive grounds for judicial disqualification. Pursuant to NCJC 2.11(A):

(A) A judge shall disqualify himself or herself in any proceeding in which the judge’s impartiality might reasonably be questioned, including but not limited to the following circumstances:

- (1) The judge has a personal bias or prejudice concerning a party or a party’s lawyer, or personal knowledge of facts that are in dispute in the proceeding.

A judge shall disqualify himself or herself in any proceeding in which the judge’s impartiality might be reasonably questioned. Ybarra v. State, 247 P.3d 269, 271 (Nev. 2011). The test for whether a judge’s impartiality might be reasonably questioned is objective and courts must decide whether a reasonable person, knowing all the facts, would harbor reasonable doubts about a judge’s impartiality. Id. at 272.

The burden is on the party asserting the challenge to establish sufficient factual and legal grounds warranting disqualification. Las Vegas Downtown Redevelopment Agency v. District Court, 116 Nev. 640, 643 (2000). A judge has a duty to preside to the conclusion of all proceedings, in the absence of some statute, rule of court, ethical standard, or compelling reason otherwise. Id. A judge is presumed to be unbiased. Millen v. District Court, 148 P.3d 694, 701 (Nev. 2006). A judge is presumed to be impartial, and the burden is on the party asserting the challenge to establish sufficient factual grounds warranting disqualification. Ybarra, 247 P.3d at 272. Additionally, the Court must give substantial weight to a judge’s determination that the judge may not voluntarily disqualify themselves, and the judge’s decision cannot be overturned in the absence of clear abuse of discretion. In re Pet. To recall Dunleavy, 104 Nev. 784 (1988).

The Nevada Supreme Court has stated “rulings and actions of a judge during the course of official judicial proceedings do not establish legally cognizable grounds for disqualifications.” Id. at 788. The personal bias necessary to disqualify must “stem from an extrajudicial source and result in an opinion on the merits on some basis other than what the judge learned from participation in the case.” Id. “To permit an allegation of bias, partially founded upon a justice’s performance of his [or her] constitutionally mandated responsibilities, to disqualify that justice from discharging those duties would nullify the court’s authority and permit manipulation of justice, as well as the court.” Id.

The Nevada Supreme Court has noted that while the general rule is that what a judge learns in his or her official capacity does not result in disqualification, “an opinion formed by a judge on the basis of facts introduced or events occurring in the course of the current proceedings, or of prior proceedings, constitutes a basis for a bias or partiality motion where the opinion displays ‘a deep-seated favoritism or antagonism that would make fair judgment impossible.’” Kirksey v. State, 923 P.2d 1102, 1107 (Nev. 1996). However, “remarks of a judge made in the context of a court proceeding are not considered indicative of improper bias or prejudice unless they show that the judge has closed his or her mind to the presentation of all the evidence.” Cameron v. State, 968 P.2d 1169, 1171 (Nev. 1998).

B. Disqualification is not warranted because Defendant has not established sufficient factual and legal grounds for disqualification.

As the party seeking disqualification, Defendant bears the burden of establishing sufficient factual grounds to warrant disqualification. Las Vegas Downtown Redevelopment Agency v. District Court, 5 P.3d 1059, 1061 (Nev. 2000). However, here, Defendant has not met the burden of establishing sufficient facts for disqualification.

Defendant alleges that he is concerned that Judge Harter will be biased against him as a result of the order from the Court of Appeals. While the Court of Appeals has found further proceedings to be necessary here, that alone does not suggest that bias from Judge Harter against Defendant is a necessary—or even expected—outcome. The allegation is highly speculative in nature, and insufficient for disqualification.

1 Defendant also suggests Judge Harter may be biased against him as an incarcerated litigant.
2 The record does not reflect that Judge Harter harbors bias against Defendant on the basis of his
3 incarceration. While the Court of Appeals found error in the underlying proceedings, the error(s)
4 asserted do not rest in bias. The record does not reflect that Judge Harter has closed his mind to
5 evidence in the forthcoming proceedings. This allegation is also speculative, and insufficient for
6 disqualification.

7 Defendant states that Judge Harter's comment to Plaintiff to, "have a good day. Stay safe and
8 healthy," also does not rise to the standard of disqualification. Absent other circumstances, judicial
9 remarks during official proceedings are not considered indicative of bias, unless they demonstrate
10 that the judge has closed their mind to evidence. Liteky v. U.S., 510 U.S. 540 (1994). This comment
11 proffered by Defendant does not rise to this standard.

12 Defendant has offered no legal basis or facts of bias or prejudice which would warrant
13 disqualification pursuant to NRS 1.230(1). Based on what is before this Court, Judge Harter has not
14 demonstrated a deep-seated favoritism, nor has he taken other actions which warrant
15 disqualification. Because the allegations lack sufficient factual grounds, and are otherwise
16 speculative, Defendant's request is denied. The matter will proceed pursuant to the Court of Appeals
17 order.

18 Conclusion

19 Defendant does not bring any cognizable claims supported by factual or legal allegations
20 against Judge Harter. What is before this Court does not support Defendant's allegations of bias or
21 prejudice by Judge Harter. Thus, Defendant's request to disqualify Judge Harter is denied. As a
22 result of this decision, the hearing on calendar for May 12, 2022 is VACATED.

Dated this 13th day of May, 2022



708 474 4736 BA95
Linda Marie Bell
District Court Judge

1 **CSERV**

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

5
6 **Jenniffer Figueroa, Plaintiff.**

CASE NO: D-20-606828-C

7 **vs.**

DEPT. NO. Department N

8 **Ronald David Harris, Defendant.**
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 **Service Date: 5/13/2022**

15 **Jenniffer Figueroa**

jennfig1976@gmail.com

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

20 **Ronald Harris**

NECX PO BOX 5000

#584414

Mountain City, TN, 37683
21
22
23
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25
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28



DISTRICT COURT
CLARK COUNTY, NEVADA

* * *

Jenniffer Figueroa, Plaintiff.

Case No: D-20-606828-C

vs.

Department N

Ronald David Harris, Defendant.

AMENDED
NOTICE OF EVIDENTIARY HEARING ON LEGAL CUSTODY

Pursuant to an Order Reversing in Part and Remanding ("OR") from the Court of Appeals of the State of Nevada entered on 11/05/2021, the Court directed that this Court hold an evidentiary hearing in this case ***solely on the issue of legal custody.***¹ OR, p.8; See NRS 125C.002; *Rivero v. Rivero*, 125 Nev. 410, 420-21, 216 P.3d 213 (2009).

The evidentiary hearing will be held on ^{05/31/2022}~~04/26/2022~~ at 3:00 p.m. (Pacific Standard Time). Obviously, given Defendant's out-of-state incarceration status, he will be unable to be personally present. Regardless, the hearing will be held by audio/visual means. If Defendant can arrange to appear by audio/visual means through the Tennessee Department of Corrections, he is to set it up at least 1 day prior by calling 702-455-1330. Both parties will have the opportunity to submit a Trial Brief and any other evidence relevant to the issue at hand. A copy of the OR is accompanying this Notice to reiterate procedural and substantive specifics. Any Briefs or evidence will be ^{05/25/2022}~~due no later than 04/22/2022~~ at 12:00 p.m. (Pacific Standard Time). Any witnesses with relevant testimony can either appear via audio/visual means by calling the number above. Alternatively, they can submit relevant evidence/testimony in the form of affidavits. See *Adoption of Edmond*, 50 Mass.App.Ct. 526, 50 Mass.App.Ct. 526, 739 N.E.2d 274, 739 N.E.2d 274 (2000) (no right for incarcerated parent to be present, only need meaningful opportunity to be heard and respond to the allegations, noting incarcerated parent could file affidavits and/or consider using video/telephonic equipment). If Defendant files nothing further in this case, this Court will consider Defendant's "12-page answer pro se" as noted by the Court. OR, p. 1, 3.

¹ It is noted that all other issues have been transferred to Department Z. Pursuant to a Minute Order entered on 12/06/2021 by the Presiding Judge, the transfer back to this Court is *only temporary for this limited issue* until the aforementioned evidentiary hearing has been held. Any other issues should be directed to Department Z.

1 After the evidentiary hearing, this Court will take the matter under submission and issue a
2 written decision. EDCR 1.90.

3
4 **CERTIFICATE OF SERVICE**

5 I hereby certify that on the above file stamped date I submitted this Notice so that
6 Plaintiff will be electronically served. A copy of this Notice will be electronically served to
7 Warden Jerry Gentry of the Tennessee Northeast Correction Complex, who will effectuate
8 service upon Defendant.

9 /s/ Mark Fernandez

10 Mark Fernandez
11 Judicial Executive Assistant
12 Department N
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IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RONALD DAVID HARRIS,
Appellant,
vs.
JENNIFFER FIGUEROA,
Respondent.

No. 81746-COA

FILED

NOV 05 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Yocum
DEPUTY CLERK

ORDER REVERSING IN PART AND REMANDING

Ronald David Harris appeals from a child custody decree. Eighth Judicial District Court, Clark County; Mathew Harter, Judge.

Harris was once married to Jenniffer Figueroa, who moved to Nevada and obtained a divorce in 2017.¹ Harris subsequently pleaded guilty to sexually abusing Figueroa's daughter from a previous marriage—the half-sister to Harris's own four children with Figueroa.

Figueroa brought the underlying child custody action in April 2020. Figueroa filed a complaint pro se, requesting sole legal and sole physical custody of all four children plus child support. Regarding custody, Figueroa asserted in the complaint that the district court should consider that "[d]efendant is in prison as a sex offender. Pled guilty to B-felonies—30 years in prison." She also asserted, "I would like the children have no contact w/ their father as the person he sexually abused for 3 years was the defendants [sic] step daughter, the childrens [sic] half-sister, who was 12 when abuse started."

Figueroa served Harris by sending that complaint via certified mail, plus exhibits and a summons, to Harris at the PO Box for his prison in Tennessee. Harris timely filed a 12-page answer pro se, admitting he was incarcerated, but contesting Figueroa's request for sole legal custody. In his

¹We do not recount the facts except as necessary to our disposition.

answer, Harris expressed an unwavering desire to be part of the children's lives. And he indicated that he should have joint legal custody because he had never made inappropriate remarks to *these* children or spoke ill of Figueroa in their presence.

In May 2020, the district court's judicial executive assistant signed an order and notice to appear for an NRCP 16.205 case management conference, and sent it to Harris (the certificate of mailing contains a box that is checked indicating electronic service, fax or email). At the conference, Figueroa appeared by video, but Harris did not appear for unexplained reasons. The district court sua sponte granted sole legal and sole physical custody to Figueroa in Harris's absence. According to the hearing transcript, the court stated that it would be "impossible" for Harris to exercise his custodial rights because he will be serving a prison sentence in Tennessee for the foreseeable future. The district court did not grant child support because it concluded it had no jurisdiction to do so.² Following the hearing, the district court signed a form custody decree from the Clark County Family Law Self-Help Center, completed by Figueroa pro se. Harris now appeals the issue of legal custody only.³

²The child support issue is not part of this appeal; however, we note that this conclusion is likely incorrect. See NRS 125B.014. In a proceeding to establish a support order, a Nevada district court may exercise personal jurisdiction over a nonresident if the nonresident submits to the jurisdiction of this state by filing a responsive document, thereby waiving any contest to personal jurisdiction. NRS 130.201(1)(b). Harris waived personal jurisdiction when he filed his answer to the custody complaint without asserting personal jurisdiction as a defense. See NRCP 12(b)(2); *see also* NAC 425.115 (stating that once the court makes a custody determination, it also must determine the obligor's child support obligation).

³Neither party had counsel up to this point. However, both parties have been represented by counsel since the brief writing stage of this appeal.

Whether the district court violated Harris's due process rights

Harris argues that the district court violated his due process rights by awarding Figueroa sole legal custody of the parties' children without providing him proper notice or an opportunity to be heard. Figueroa counters that the NRCP 16.205 notice gave Harris sufficient notice and that Harris had an opportunity to be heard by way of the answer he filed with the court, given that Figueroa did not present any arguments regarding custody at the case management conference. We agree with Harris.

The district court has broad discretion in determining child custody. *Rivero v. Rivero*, 125 Nev. 410, 428, 216 P.3d 213, 226 (2009). However, substantial evidence must support the district court's findings. *Id.* Substantial evidence is "evidence that a reasonable person may accept as adequate to sustain a judgment." *Id.* (quoting *Ellis v. Carucci*, 123 Nev. 145, 149, 161, P.3d 239, 242 (2007)). Also, "a court may not use changes of custody as a sword to punish parental misconduct." *Wiese v. Granata*, 110 Nev. 1410, 1412, 887 P.2d 744, 746 (1994) (quoting *Dagher v. Dagher*, 103 Nev. 26, 28 n.3, 731 P.2d 1329, 1330 n.3 (1987)).

First, due process requires that a district court give a parent notice before affecting custodial rights. *See id.* at 1412, 887 P.2d at 745-46. General notice that there will be a hearing is not enough. *See Dagher*, 103 Nev. at 28, 731 P.2d at 1330. Rather, the parent must have "prior specific notice" that, at the hearing, the court may make the custody determination that it ultimately does make. *See id.* (reversing a custody determination made at a hearing because a parent did not receive "prior specific notice" that the particular hearing might involve a change in custody); *see also Micone v. Micone*, 132 Nev. 156, 159, 368 P.3d 1195, 1197 (2016) (holding the court's award of custody to paternal grandparents violated due process where the parents had notice that custody was at issue, but did not have notice that the

court was considering that particular custody option).

Here, the district court issued a final custody decree immediately following the case management conference without either party requesting that the court take such action. Harris had notice that legal custody would be at issue in the case because Figueroa served him with her complaint seeking sole legal and sole physical custody. Also, the notice setting hearing is titled as a notice to appear for an NRCP 16.205 case management conference involving paternity or custody actions between unmarried persons. However, this notice did not advise the parties that a final custodial arrangement could be addressed and resolved at the case management conference, a point Figueroa conceded at oral argument. The NRCP 16.205 notice makes no reference to disposing of custody and the rule attached to the notice only indicates that the court may enter "interim" orders or orders setting the case for a settlement conference or trial. Therefore, we conclude that the district court did not provide Harris with prior specific notice sufficient to satisfy due process before entering a final custody decree.

Further, even if Harris received notice, due process requires more. *Wiese*, 110 Nev. at 1412-13, 887 P.2d at 746. "Litigants in a custody battle have the right to a full and fair hearing concerning the ultimate disposition of a child." *Id.* (quoting *Moser v. Moser*, 108 Nev. 572, 576, 836 P.2d 63, 66 (1992)). And a party "threatened with the loss of parental rights must be given the opportunity to disprove the evidence presented." *Id.* (quoting *Moser*, 108 Nev. at 577, 836 P.2d at 66).

Here, Harris did not attend the case management conference, there is no explanation on the record or in the decree as to why, and the district court never explained the impact of his non-appearance. And, even if he had attended, the hearing lasted less than six-minutes, and Figueroa presented no witnesses and no evidence on the custody issue at all. In fact,

the first action the district court took after its introductory comments was to grant Figueroa sole legal and physical custody. Figueroa had made no arguments regarding any subject at that point. She only had stated that she had received the answer to her complaint. Furthermore, Figueroa made virtually no statements about custody throughout the hearing. And in response to a question at the end of the hearing, the court told Figueroa that she could do whatever she wanted with the children because Harris now has no rights. As such, Harris had no opportunity to foresee the nature of the proceeding, challenge the court's legal determinations, or present or disprove evidence on the factual issues. Therefore, the district court deprived Harris of a full and fair hearing.

Additionally, "[a] district court may not elevate promptness and efficiency over fairness and due process by entering summary judgment before claims are properly before it for decision." *See Renown Reg'l Med. Ctr. v. Second Judicial Dist. Court*, 130 Nev. 824, 828, 335 P.3d 199, 202 (2014) (internal quotations omitted). As such, the district court may not sua sponte enter summary judgment without "giving the losing party notice that it must defend its claim." *See id.* (holding that the district court erred by granting summary judgment without briefing, argument, or notice).

Here, the district court's actions at the case management conference were tantamount to entering summary judgment sua sponte on the pleadings, similar to *Renown*. Neither Harris nor Figueroa filed motions or briefs asking the court to dispose of the custody issue—or any issue for that matter—at the case management conference. The court heard no arguments at the conference regarding custody. And, as stated above, the parties received no notice that the court could or would make a final custody determination without an evidentiary hearing. Yet the court disposed of the entire case at the conference. Therefore, we conclude that the district court

violated Harris's due process rights when it awarded Figueroa sole legal custody at the case management conference.

Whether the district court abused its discretion in awarding Figueroa sole custody

Harris also argues that the district court abused its discretion in issuing the custody decree because substantial evidence did not support the district court's conclusion that it would be impossible for Harris to exercise legal custodial rights from prison. Figueroa counters that, in issuing the custody decree, the district court acted within its broad discretion to decide what is in the best interest of the children. We address this issue because it will be presented to the district court again upon remand.

The district court has broad discretionary power to determine child custody, and we will not disturb custody determinations absent a clear abuse of discretion. *Ellis*, 123 Nev. at 149, 161 P.3d at 241. However, deference is not owed to legal error "or to findings so conclusory they may mask legal error." *Davis v. Ewalefo*, 131 Nev. 445, 450, 352 P.3d 1139, 1142 (2015).

"Legal custody involves having basic legal responsibility for a child and making major decisions regarding the child, including the child's health, education, and religious upbringing." *Rivero*, 125 Nev. at 420, 216 P.3d at 221. Joint legal custody is presumed to be in the children's best interest if certain conditions are met. NRS 125C.002. However, this presumption is overcome when the court finds that the parents are unable to communicate, cooperate, and compromise in the best interest of the children. *See Rivero*, 125 Nev. at 420, 216 P.3d at 221.⁴

⁴We have already interpreted *Rivero* to stand for this proposition in *Doucettperry v. Doucettperry*, No. 80114-COA, 2020 WL 6445845 (Nev. Ct.

Here, the district court signed a preprinted custody decree from the self-help center submitted by Figueroa, ordering that "[t]he plaintiff is granted sole legal custody of the minor children." The decree recites, "this Court finds . . . [t]hat any custody and visitation orders made herein are in the best interest of the children." But this decree does not address the NRS 125C.002 presumption or how Figueroa overcame the allegations in Harris's answer that he never made inappropriate remarks to *these* children or spoke ill of Figueroa in their presence. The district court made no findings as to Harris and Figueroa's ability, or lack thereof, to cooperate, communicate, or compromise in the best interest of their children. And there is otherwise no reference to the children's best interest or the court's findings or reasons for awarding Figueroa sole legal custody.

The district court therefore abused its discretion by failing to tie specific best interest findings to its conclusion that Figueroa should have sole legal custody in the decree.⁵ See *Davis*, 131 Nev. at 451, 352 P.3d at 1143 ("Crucially, the decree or order must tie the child's best interest, as informed by specific, relevant findings . . . to the custody determination made."); *Arcella v. Arcella*, 133 Nev. 868, 872, 407 P.3d 341, 346 (2017) (citing the *Davis* standard as applicable in the legal custody context). And while we normally defer to the district court's ultimate custody determination, without specific findings in the decree, "this court cannot say with assurance that the

App. Nov. 2, 2020) (Order Affirming in Part, Reversing in Part, and Remanding).


⁵The district court's oral pronouncement that Figueroa was entitled to sole legal and sole physical custody based upon Harris's crimes and length of incarceration is a compelling factor, but it does not rise to the level where no further findings are necessary as instructed in *Davis*. See *Rust v. Clark Cty. Sch. Dist.*, 103 Nev. 686, 689, 747 P.2d 1380, 1382 (1987).


custody determination was made for appropriate legal reasons." *Davis*, 131 Nev. at 452, 352 P.3d at 1143.

Additionally, deciding which custody arrangement is in the children's best interest necessarily involves resolving disputed questions of fact in this case. Indeed, the parties clearly dispute whether Harris's behavior with his stepdaughter renders him unable to participate in important legal decisions for his four children. Therefore, the district court should have held an evidentiary hearing on the issue of legal custody. See *Nev. Power Co. v. Fluor Ill.*, 108 Nev. 638, 646, 837 P.2d 1354, 1360 (1992) (concluding that the district court abused its discretion in failing to hold an evidentiary hearing to determine disputed questions of fact). Accordingly, we

ORDER the judgment of the district court REVERSED in part, AND REMAND for proceedings consistent with this order.

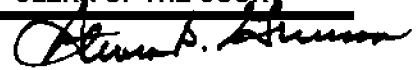

Gibbons C.J.


Tao J.


Bulla J.

cc: Hon. Mathew Harter, District Judge
Lance J. Hendron, Attorney at Law, LLC
The Ramos Law Firm
Barbara Buckley
Snell & Wilmer/Kelly Dove
Anne Traum
Eighth District Court Clerk

Fernandez, Mark



To: Jerry W. Gentry
Subject: RE: Jennifer Figueroa v. Ronald Harris, D-20-606828-C

From: Jerry W. Gentry [<mailto:Jerry.W.Gentry@tn.gov>]
Sent: Monday, May 16, 2022 11:29 AM
To: Fernandez, Mark
Subject: RE: Jennifer Figueroa v. Ronald Harris, D-20-606828-C

[NOTICE: This message originated outside of Eighth Judicial District Court -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

This was served on Inmate Harris on 5.16/22 at approx. 2:10 PM est

From: Fernandez, Mark <fernandezm@clarkcountycourts.us>
Sent: Friday, May 13, 2022 6:27 PM
To: Jerry W. Gentry <Jerry.W.Gentry@tn.gov>
Subject: [EXTERNAL] RE: Jennifer Figueroa v. Ronald Harris, D-20-606828-C

Good afternoon Jerry!

The Court has issued an Amended Notice of Evidentiary Hearing in this case as it had to reschedule the matter due to the pending Motion to Disqualify. Attached is a copy of the Notice. Would you please provide an email written confirmation once service has been effectuated upon Ronald David Harris so I can file it as proof of service into our case?

Thanks again for all your assistance! Hope all is well!

Sincerely,

Mark Fernandez | Judicial Executive Assistant



FERNANDEZM@CLARKCOUNTYCOURTS.US

Please upload and/or file my brief and exhibit ASAP so that it can be included in my defense. 4-22-22 is the deadline.

Electronically Filed
05/20/2022

Heather Shuman
CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

* * *

Jenniffer Figueroa, Plaintiff.

Case No: D-20-606828-C

vs.

Department N

Ronald David Harris, Defendant.

NOTICE OF EVIDENTIARY HEARING ON LEGAL CUSTODY

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The evidentiary hearing will be held on **04/26/2022 at 3:00 p.m.** (Pacific Standard Time). Obviously, given Defendant's out-of-state incarceration status, he will unable to be personally present. Regardless, the hearing will be held by audio/visual means. If Defendant can arrange to appear by audio/visual means through the Tennessee Department of Corrections, he is to set it up at least 1 day prior by calling 702-455-1330. Both parties will have the opportunity to submit a Trial Brief and any other evidence relevant to the issue at hand. A copy of the OR is accompanying this Notice to reiterate procedural and substantive specifics. Any Briefs or evidence will be **due no later than 04/22/2022 at 12:00 p.m.** (Pacific Standard Time). Any witnesses with relevant testimony can either appear via audio/visual means by calling the number above. Alternatively, they can submit relevant evidence/testimony in the form of affidavits. See *Adoption of Edmond*, 50 Mass.App.Ct. 526, 50 Mass.App.Ct. 526, 739 N.E.2d 274, 739 N.E.2d 274 (2000) (no right for incarcerated parent to be present, only need meaningful opportunity to be heard and respond to the allegations, noting incarcerated parent could file affidavits and/or consider using video/telephonic equipment). If Defendant files nothing further in this case, this Court will consider Defendant's "12-page answer pro se" as noted by the Court. OR, p. 1, 3.

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RECEIVED

MAY 02 2022

CLERK OF THE COURT

1 After the evidentiary hearing, this Court will take the matter under submission and issue a
2 written decision. EDCR 1.90.

3
4 **CERTIFICATE OF SERVICE**

5 I hereby certify that on the above file stamped date I submitted this Notice so that
6 Plaintiff will be electronically served. A copy of this Notice will be electronically served to
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9 /s/ Mark Fernandez
10 Mark Fernandez
11 Judicial Executive Assistant
12 Department N
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Alanna L. Linn
CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

JENNIFFER FIGUEROA, PLAINTIFF
VS.
RONALD DAVID HARRIS,
DEFENDANT

CASE NO: D-20-606828-C
DEPARTMENT N

EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF CLARK

THE HONORABLE MATHEW HARTER, PRESIDING

DEFENDANT'S BRIEF

RONALD DAVID HARRIS . #584414
N.E.C.X.
P.O.. BOX 5000
MOUNTAIN CITY, TN. 37683
DEFENDANT

JENNIFFER FIGUEROA
3874 CALLE DE ESTE
LAS VEGAS, NV. 89121

PLAINTIFF

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STATEMENT OF THE CASE

1 THIS CASE HAS A CLOSED RELATED CASE. D-17-547582-D. ON JULY 8, 2017 JUDGE HARTER VACATED AND
2 CANCELED THE MOTION FOR CUSTODY OF THE MINOR HARRIS CHILDREN. NEARLY TWO YEARS LATER, ON
3 APRIL 10, 2019 JUDGE HARTER CANCELED A MOTION TO MODIFY CUSTODY, VISITATION AND/OR CHILD
4 SUPPORT. IT TOO WAS VACTED. BOTH WERE FILED BY MS. FIGUEROA. JUDGE HARTER EVEN APPEARED TO BE
5 ANNOYED WITH THE APRIL 2019 MOTION BY MENTIONING THAT HE MADE IT QUITE CLEAR IN HIS JULY 2017
6 RULING THAT HE WAS NOT GOING TO ADDRESS OR EVEN ENTERTAIN ANY OF THESE ISSUES. YET FOR THE
7 THIRD TIME MS. FIGUEROA FILED ANOTHER CUSTODY COMPLAINT ON APRIL 22, 2020. SHE REQUESTED SOLE
8 LEGAL AND SOLE PHYSICAL CUSTODY THAT SHE SHARES WITH THE DEFENDANT. THE PLAINTIFF INFORMED
9 THE DISTRICT COURT SHE REQUESTED SOLE LEGAL AND SOLE PHYSICAL CUSTODY BECAUSE THE DEFENDANT
10 PLEADED GUILTY TO FELONIES AND IS SERVING A LONG PRISON SENTENCE. THEN LATER SHE CHANGED THE
11 REASON TO CUTTING OFF CONTACT WITH THE DEFENDANT BECAUSE SHE DOESN'T LIKE THE LETTERS HE
12 WRITES TO HER REGARDING NOT BEING ABLE TO TALK TO HIS CHILDREN OR ABOUT HER OWN CRIMES AND
13 BEHAVIOR. THUS, BASICALLY THE EXACT SAME INFORMATION AND CIRCUMSTANCES THAT SHE PROVIDED THE
14 COURT ON THE TWO PREVIOUSLY CANCELED AND VACTED MOTIONS. NOTHING HAD CHANGED. THE DEFENDANT
15 SUBMITTED AN ANSWER TO THE PLAINTIFF'S COMPLAINT ON MAY 18, 2020. WITHIN THE ANSWER THE
16 DEFENDANT OBJECTED TO THE PLAINTIFF'S COMPLAINT CITING THAT DESPITE HIS CIRCUMSTANCES, HE
17 DESIRED TO MAINTAIN A RELATIONSHIP WITH HIS CHILDREN. SPECIFICALLY, HE REQUESTED TO BE
18 PERMITTED TO SPEAK WITH HIS CHILDREN AND PERMITTED TO SEND THEM LETTERS. THESE WERE THE
19 DEFENDANT'S RIGHTS SINCE HIS JOINT LEGAL CUSTODY RIGHTS WERE STILL VERY MUCH INTACT. THE
20 DEFENDANT ALSO REQUESTED HE CONTINUE TO RECEIVE JOINT LEGAL CUSTODY SO HE MAY BE INFORMED
21 CONCERNING HIS CHILDREN'S HEALTH, EDUCATION AND OVERALL WELL BEING. EVERY STEP OF THE WAY THE
22 DEFENDANT HAS FOUGHT THE PLAINTIFF'S EFFORTS TO REVOKE HIS JOINT LEGAL CUSTODY STATUS THAT
23 BEGAN IN JULY 2017. HE'S ALSO BEEN ACTIVELY INVOLVED IN THEIR LIVES UP UNTIL THE TIME THE
24 PLAINTIFF CUT OFF HIS CONTACT WITH HIS CHILDREN. HE HAS ANSWERED, FILED AND FOUGHT EVERY
25 MOTION OR CLAIM THE PLAINTIFF HAS BROUGHT TO THE COURT. HE'S DONE THIS AGAINST GREAT ODDS AND
26 DISADVANTAGES DUE TO HIS INCARCERATION. HE DOES NOT HAVE ACCESS TO THE INTERNET OR THE SELF
27 HELP SERVICE CENTER OR SELF HELP FORMS LIKE THE PLAINTIFF DOES. THE DEFENDANT HAS HAD TO WRITE
28

1 TO THE CLARK COUNTY CLERK OF COURTS OFFICE IN ORDER TO REQUEST AND RECEIVE THE NEEDED FORMS
2 IN ORDER TO DEFEND HIS RIGHTS. MANY TIMES HE HAS LOST PRECIOUS TIME TRYING TO ANSWER OR FILE
3 INFORMATION BECAUSE OF THE DELAYS IN THE USPS TO AND FROM NEVADA AND TENNESSEE. HE IS AT THE
4 MERCY OF THE COURT CLERK TO ELECTRONICALLY FILE HIS PAPERWORK WHILE THE PLAINTIFF IS ABLE TO
5 QUICKLY FILE HER PAPERWORK EASILY AND ELECTRONICALLY. THIS HAS BEEN AN ACTIVE CASE FOR ALMOST
6 FIVE YEARS. THE DEFENDANT REFUSES TO GIVE UP. EVEN GOING SO FAR AS TO FILE
7 A PRO SE APPEAL TO THE NEVADA COURT OF APPEALS WHICH RESULTED IN A SUCCESSFUL
8 REVERSAL AND THE BASIS FOR THIS HEARING. SIMPLY PUT, THE DEFENDANT LOVES HIS
9 CHILDREN MORE THAN ANYTHING IN THE WORLD AND WILL FIGHT FIERCELY TO BE A
10 POSITIVE AND LOVING INFLUENCE IN THEIR LIVES AND AN ACTIVE PARENT TO THE
11 BEST OF HIS ABILITY. THIS INCLUDES HIS LEGAL FIGHT TO OVERTURN HIS TENNESSEE
12 CONVICTION, WHICH HE IS ACTIVELY DOING.

FACTS AND ARGUMENT

1 THE PLAINTIFF GIVES NO LEGITIMATE REASON WHY, NOR DOES SHE CITE ANY STATUTES
2 OR CASE LAW, AS TO WHY THE DEFENDANT SHOULD LOSE HIS JOINT LEGAL CUSTODY
3 RIGHTS TO HIS CHILDREN. THE CLAIMS SHE'S MAKING IN THIS CASE WERE THE SAME
4 ONES SHE TRIED TWICE BEFORE, IN JULY 2017 AND APRIL 2019, TO GET THE COURT
5 TO RULE ON. THE COURT ON BOTH OCCASIONS VACATED AND CANCELED THE PLAINTIFF'S
6 COMPLAINT FOR CUSTODY. THE PLAINTIFF HAS ON AT LEAST THREE OCCASIONS MISLED
7 THE COURT. THE FIRST TIME WAS WHEN SHE FILED THE EX-PARTE TO FOREGO THE
8 REQUIRED MEDIATION FOR CUSTODY. THE PLAINTIFF NEVER INFORMED THE DEFENDANT
9 OF THIS MOTION, NOR EVEN ATTEMPTED TO RESOLVE THIS MATTER BEFORE IT BECAME
10 NECESSARY FOR THE COURT TO MAKE A RULING. THE DEFENDANT WOULD HAVE BEEN MORE
11 THAN WILLING TO PARTICIPATE WITH A MEDIATOR TO RESOLVE THIS MATTER. THE EX-
12 PARTE WAS GRANTED WITHOUT THE DEFENDANT'S KNOWLEDGE OR OPPORTUNITY TO TELL
13 THE COURT HE WAS WILLING TO TRY. THE DEFENDANT BELIEVES THE PLAINTIFF
14 PURPOSELY AVOIDED THE PROPER PROCEDURES OF THE COURT. THE SECOND TIME THHAT
15 THE PLAINTIFF MISLED THE COURT WAS DURING THE JULY 16, 2020 HEARING. THE
16 COURT ASKED HER IF THERE WAS EVER A CUSTODY CASE FILED BACK IN TENNESSEE.
17 THE PLAINTIFF SAID, "NO, THERE WAS NOT." (page 2 transcript of proceeding)
18 ONE OF THE DEFENDANT'S EXHIBITS (HARRIS EX. 3) CLEARLY SHOWS THAT NOT ONLY
19 WAS ONE FILED IN TENNESSEE BUT THE PLAINTIFF WAS THE ONE WHO FILED IT ON
20 BEHALF OF THEM BOTH. AS THE COURT WILL SEE BY THE DEFENDANT'S NUMEROUS EXHIBITS
21 THE PLAINTIFF WILL BE PROVEN TO BE DECEPTIVE AS WELL AS CONVENIENTLY LEAVING
22 OUT DETAILS OF HER ALLEGED CRIMES AND CULPABILITY IN THE DEFENDANT'S CRIMINAL
23 CASE AND HER LACK OF PARENTING SKILLS. IN OTHERWORDS, THE PLAINTIFF IS NOT IN
24 ANY POSITION TO TRY AND PUNISH THE DEFENDANT. THE ONLY REASON THE PLAINTIFF
25 IS TRYING TO TAKE AWAY THE DEFENDANT'S JOINT LEGAL CUSTODY RIGHTS IS BECAUSE
26 HE IS WORKING WITH LAW ENFORCEMENT IN TRYING TO BRING HER TO JUSTICE FOR HER
27 OWN CRIMES. THE PLAINTIFF WILL DO OR SAY ANYTHING AT ANY COST TO TRY AND
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1 PUNISH THE DEFENDANT FOR BRINGING HER TO JUSTICE AND REVEALING HER OWN
2 SHORTCOMINGS AS A PARENT AND HER IMMORAL AND UNETHICAL BEHAVIOR. THE PLAINTIFF
3 SHOULD HAVE HER COMPLAINT DENIED BECAUSE IT IS WITHOUT MERIT AND THE PLAINTIFF
4 WILL BE PROVEN TO BE IN NO BETTER POSISTION AS THE DEFENDANT DUE TO HER OWN
5 ACTIONS AND BEHAVIOR. EVEN THOUGH THE PLAINTIFF DID NOT REQUEST OR FILE ANY
6 PAPERWORK TO TRY AND TERMINATE THE DEFENDANT'S PARENTAL RIGHTS THE COURT
7 BASICALLY INSINUATED IN THE JULY 16, 2020 HEARING THAT THIS WAS THE CASE. ON
8 PAGE SIX OF THE PROCEEDING'S TRANSCRIPT THE COURT SAID, "YOU CAN DO WHATEVER
9 YOU LIKE. HE HAS NO RIGHTS TO THEM NOW WHATSOEVER." GRANTED, THE NEVADA
10 COURT OF APPEALS REVERSED THAT DECISION. THE PLAINTIFF HAS NOT PRODUCED OR
11 PRESENTED ANY KIND OF MEANINGFUL OR SUBSTANTIAL EVIDENCE OR REASONING TO
12 EVEN WARRANT SUCH ACTION. THE CRIMES THAT THE DEFENDANT ALLEGEDLY COMMITTED
13 WERE NOT AGAINST ANY OF HIS FOUR CHILDREN THAT HE SHARES WITH THE PLAINTIFF.
14 THE PLAINTIFF IS SIMPLY USING HIS INCARCERATION TO DISGUISE HER REAL REASON.
15 TO PUNISH THE DEFENDANT FOR HIS EFFORTS TO BRING HER TO JUSTICE AND TO EXPOSE
16 HER ALLEGED CRIMES AND MORALLY WRONG BEHAVIOR TO THE COURT AND TO THEIR
17 MUTUAL FRIENDS AND FAMILY. THE NEVADA SUPREME COURT HAS SAID NUMEROUS TIMES,
18 "TERMINATION OF A PARENT'S RIGHTS TO HIS CHILD IS TANTAMOUNT TO IMPOSITION
19 OF A CIVIL DEATH PENALTY." (IN THE MATTER OF THE PARENTAL RIGHTS AS TO Q.L.R.,
20 118 NEV. 602 at 605 at 58. AND DRURY v LANG, 105 NEV. 430, 433, 776 P.2d. 843,
21 845 (1989)). THE BOND BETWEEN PARENT AND CHILD IS A FUNDAMENTAL SOCIETAL
22 RELATIONSHIP? (SEE SANTOSKY v. KRAMER, 455, U.S. 745, 753, 102 S. CT. 1388, 71
23 L. Ed. 2d 599 (1982); SEE ALSO STANLEY v. ILLINOIS, 405 U.S. 645, 651, 92
24 S. CT. 1208, 31 L.Ed. 2d 551 (1972)). TERMINATION OF THE PARENT CHILD
25 RELATIONSHIP IMPLICATES FUNDAMENTAL LIBERTY INTERESTS THAT ARE PROTECTED BY
26 THE U.S. CONSTITUTION. (SANTOSKY, 455 U.S. at 753, 102 S. CT. 1388). IN
27 ORDER TO TERMINATE PARENTAL RIGHTS, A PETITIONER MUST PROVE BY CLEAR AND
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1 CONVINCING EVIDENCE THAT TERMINATION IS IN THE BEST INTEREST OF THE CHILD
2 AND MUST ALSO ESTABLISH PARENTAL FAULT. NRS. 128.105 THE PLAINTIFF HAS NOT
3 DONE THIS. ONE OF THE CRITERIA IN NRS. 128.105 IS THAT ONE OR BOTH PARENTS
4 HAVE ABANDONED THE CHILD. THE NEVADA LEGISLATURE HAS NOT PROVIDED THAT
5 INCARCERATION CONSTITUTES ABANDONMENT AS A MATTER OF LAW. NRS 128.012 DEFINES
6 "ABANDONEDMENT OF A CHILD." IT PRESCRIBES THE CIRCUMSTANCES IN WHICH ABANDON-
7 MENT MAY BE PRESUMED. THE NEVADA SUPREME COURT HAS HELD THAT, "INTENT IS THE
8 DECISIVE FACTOR IN ABANDONMENT AND MAY BE SHOWN BY THE FACTS AND CIRCUMSTANCES"
9 (MATTER OF PARENTAL RIGHTS AS TO MONTGOMERY, 112 NEV. 719, 727, 917 P. 2d 949,
10 955 (1996), SUPERCEDED -- BY STATUTE ON OTHER GROUNDS AS STATED IN MATTER OF
11 THE PARENTAL RIGHTS AS TO N.J., 116 NEV. 790, 8 P.3d 126 (2000). THE NEVADA
12 SUPREME COURT ALSO HOLDS THAT VOLUNTARY CONDUCT RESULTING IN INCARCERATION
13 DOES NOT ALONE ESTABLISH INTENT TO ABANDON A MINOR CHILD. (MATTER OF PARENTAL
14 RIGHTS AS TO Q.L.R. 118 NEV. 602 at 605 at 58 (2002). THE FACTS AND CIRCUM-
15 STANCES IN THIS CASE DO NOT SATISFY EITHER NRS 128.012 (1) or NRS 128.012 (2).
16 THE DEFENDANT'S ALLEGED CONDUCT DID NOT DEMONSTRATE A SETTLED PURPOSE TO
17 RELINQUISH ALL CLAIMS TO HIS FOUR MINOR CHILDREN. THE RECORD IN THIS CASE WILL
18 SHOW THAT ALTHOUGH THE DEFENDANT HAS BEEN UNABLE TO PROVIDE CONSISTENT
19 FINANCIAL SUPPORT WHILE IN PRISON, HE HAS ATTEMPTED TO CONTINUE HIS RELATION-
20 SHIP WITH HIS CHILDREN. WHEN HE'S ABLE TO HE SENDS THEM MONEY FOR BIRTHDAYS
21 AND CHRISTMAS. HE ARRANGES FOR AN ANGEL TREE TO PROVIDE HIS CHILDREN GIFTS
22 THAT ARE SENT TO THEIR HOME YEARLY. HE WRITES LETTERS TO HIS CHILDREN, NOT
23 KNOWING IF THE PLAINTIFF IS CENSORING THEM OR EVEN GIVING THEM TO THE KIDS.
24 HE SENDS THEM BIRTHDAY CARDS WITHOUT FAIL. HE TRIES TO CALL HIS CHILDREN ON
25 THEIR BIRTHDAYS OR IN GENERAL. HE TRIES TO CALL THEM ON MAJOR HOLIDAYS BUT
26 THE PLAINTIFF REFUSES TO ANSWER HIS CALLS AT ALL. HE HAS DONE ALL OF THE
27 ABOVE SINCE HIS INCARCERATION INCLUDING THE LAST THREE YEARS THAT THE
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1 PLAINTIFF HAS ILLEGALLY CUT OFF HIS CONTACT AND RELATIONSHIP WITH HIS FOUR
2 CHILDREN. THERE IS NO STANDING COURT ORDER GIVING THE PLAINTIFF AUTHORITY TO
3 FRUSTRATE THE RIGHTS OF THE DEFENDANT TO TRY AND MAINTAIN A MEANINGFUL
4 RELATIONSHIP WITH HIS FOUR CHILDREN. NEVADA'S STATUTORY SCHEME DOES NOT
5 SUPPORT TERMINATION OF PARENTAL RIGHTS BASED SOLELY ON THE DURATION OF
6 INCARCERATION. (MATTER OF PARENTAL RIGHTS AS TO Q.L.R. 118, NEV. 602 at 608
7 (2002)). NOT ONE SINGLE ALLEGED CRIME THAT THE DEFENDANT MAY HAVE COMMITTED
8 WAS DIRECTED NOR INVOLVED HIS FOUR BIOLOGICAL CHILDREN THAT HE SHARES WITH
9 THE PLAINTIFF. THE SAME CANNOT BE SAID FOR THE PLAINTIFF WHEN IT COMES TO
10 HER TWO BIOLOGICAL CHILDREN FROM A PREVIOUS MARRIAGE. IN (MATTER OF PARENTAL
11 RIGHTS AS TO C.J.M. 118 NEV. 724) THE NEVADA SUPREME COURT AFFIRMED THE
12 DECISION OF THE DISTRICT COURT TERMINATING THE FATHER'S PARENTAL RIGHTS.
13 THE COURT FOUND PARENTAL FAULT ON THE PART OF THE FATHER, WHO WAS INCARCERATED
14 BASED ON ABANDONMENT AND UNFITNESS BY CLEAR AND CONVINCING EVIDENCE. THE
15 COURT'S FINDING OF UNFITNESS WAS BASED ON THE FATHER'S IMPRISONMENT FOR A
16 VIOLENT FELONY CONVICTION, BUT ALSO ON "HIS DISREGARDING ATTITUDE TOWARD THE CHILDREN WHILE IN
17 PRISON." ADDITIONALLY, THE COURT FOUND THAT THE FATHER DID NOT PROVIDE ANY INDICATION THAT HE
18 HAD A SIGNIFICANT RELATIONSHIP WITH THE CHILDREN BEFORE HIS INCARCERATION. THE DEFENDENT IN THE
19 INSTANT CASE HAD A VERY SIGNIFICANT RELATIONSHIP WITH ALL SEVEN OF HIS BIOLOGICAL CHILDREN.
20 THE DEFENDANT WAS GIVEN CUSTODY OF HIS THREE OLDER CHILDREN FROM A PREVIOUS MARRIAGE IN HIS
21 2007 DIVORCE FROM THEIR MOTHER. THAT SHOULD STAND FOR SOMETHING. THE DEFENDANT AVERS THAT
22 THROUGH MANY OF HIS EXHIBITS THERE IS PROOF TO SUSTAIN THAT HE HAD A SIGNIFICANT RELATIONSHIP
23 WITH HIS FOUR MINOR CHILDREN THAT HE SHARES WITH THE PLAINTIFF. HE CERTAINLY CAN SHOW THAT HE'S
24 TRIED VERY HARD TO CONTINUE THAT RELATIONSHIP WITH HIS FOUR CHILDREN SINCE AND DURING HIS
25 INCARCERATION, ONLY TO BE THWARTED BY THE PLAINTIFF'S ACTIONS AND EFFORTS TO FRUSTRATE OR DENY
26 HIM THE OPPORTUNITY TO DO SO. AS THE NEVADA SUPREME COURT HELD IN Q.L.R., SUPRA, INCARCERATION
27 ALONE CANNOT JUSTIFY TERMINATION OF PARENTAL RIGHTS. IT DID NOT GO SO FAR AS TO SUGGEST THAT
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1 INCARCERATION SHOULD ACT AS A BAR TO SUCH TERMINATIONS. INSTEAD, INCARCERATION SHOULD BE
2 CONSIDERED ALONG WITH OTHER FACTORS IN DETERMINING PARENTAL FITNESS AND IN MAKING A DETERMINATION
3 ON WHAT COURSE OF ACTION WOULD SERVE THE CHILDREN'S BEST INTERESTS. IN THE CASE OF PARENTAL
4 RIGHTS AS TO C.J.M., SUPRA, THE COURT CLEARLY ARTICULATED REASONS OVER AND ABOVE INCARCERATION
5 FOR TERMINATING THE FATHER'S PARENTAL RIGHTS. THIS DOES NOT APPLY TO THE INSTANT CASE. THE
6 DEFENDANT HAS TIRELESSLY CONTINUED TO FIGHT THIS CASE FROM DAY ONE. A LOT OF TIMES SACRIFICING
7 SLEEP OR FORMS OF ENTERTAINMENT OR RELAXATION, TRADING FOR TIME IN THE LAW LIBRARY READING
8 LITERALLY HUNDREDS OF CASES, CASE LAW AND STATUTES. THIS IN ADDITION TO THE HUNDREDS OF HOURS
9 READING THEM OR PREPARING ANSWERS OR MOTIONS AND DEFENDING HIS PARENTAL RIGHTS. IT'S HIGHLY
10 UNLIKELY THE PLAINTIFF CAN SAY THE SAME. THE DEFENDANT IS DEDICATED UNCONDITIONALLY TO HIS
11 CHILDREN. BEING INCARCERATED FOR A CRIME, EVEN A SEX CRIME, DOESN'T AUTOMATICALLY RENDER A
12 PARENT UNFIT. THE DEFENDANT IS A GOOD PARENT AND HIS CHILDREN LOVE HIM. HE HAS NOT TRIED TO
13 WITHHOLD PARENTAL PRESENCE, LOVE, CARE OR FILIAL AFFECTION. IT IS THE PLAINTIFF WHO IS THE ONE
14 OBSTRUCTING HIS EFFORTS. THERE IS NO VALID REASON WHY THE DEFENDANT'S JOINT LEGAL CUSTODY
15 RIGHTS SHOULD BE REVOKED OR TERMINATED. THE PLAINTIFF HAS FAILED TO PROVIDE SUBSTANTIAL
16 EVIDENCE TO THE CONTRARY. LEGAL CUSTODY INVOLVES HAVING BASIC LEGAL RESPONSIBILITY FOR A CHILD
17 AND MAKING MAJOR DECISIONS REGARDING THE CHILD, INCLUDING THE CHILD'S HEALTH, EDUCATION AND
18 RELIGIOUS UPRISING. (MACK v. ASHLOCK, 112 NEV. 1062, 1067, 921 P.2d. 1258, 1262 (1996).)
19 JOINT LEGAL CUSTODY CAN EXIST REGARDLESS OF THE PHYSICAL CUSTODY ARRANGEMENTS OF THE PARTIES.
20 NRS 125.490 (2); MACK, 112 NEV. at 1067, 921 P.2d at 1262. THE PARENTS NEED NOT HAVE EQUAL
21 DECISION MAKING POWER IN A JOINT CUSTODY SITUATION. (RIVERO, 125 NEV. at 421, citing FENWICK v.
22 FENWICK, 114 S.W. 3d 767, 776; KY. 2003) LEGAL CUSTODY GENERALLY HAS NO RELATION TO A PARENT'S
23 FINANCIAL OR LIVING CONDITIONS, AS IT CONCERNS THE PARENT'S LEGAL RESPONSIBILITY FOR MAKING
24 MAJOR DECISIONS REGARDING THE CHILD, INCLUDING THE CHILD'S HEALTH, EDUCATION AND RELIGIOUS
25 UPRISING." RIVERO, 125 NEV. at 421, 216 P.3d at 221. IT SHOULD BE NOTED THAT THE PLAINTIFF
26 HAS SOME HEALTH ISSUES. BEFORE SHE ABSCONDED TO NEVADA SHE HAD A SEVERE KIDNEY ISSUE. SHE ALSO
27 HAS AN ENLARGED HEART, HIGH BLOOD PRESSURE ISSUES, AND IN JUNE 2021 SHE SUFFERED A STROKE.
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1 THESE ARE ENOUGH REASONS THAT DEFENDANT SHOULD HAVE JOINT LEGAL CUSTODY SO THAT HE'S IN A
2 POSITION TO MAKE DECISIONS FOR HIS CHILDREN. IF GOD FORBID SOMETHING WERE TO HAPPEN TO THE
3 PLAINTIFF. THAT'S ONE OF THE FACTORS IN NRS 125c.0035. THE IRONY TO THE PLAINTIFF'S COMPLAINT
4 IS WHEN SHE SUBMITTED THE DIVORCE AND CUSTODY PAPERWORK IN TENNESSEE (JULY 2016) THE
5 PLAINTIFF AND THE DEFENDANT WERE GOING TO SHARE JOINT LEGAL AND JOINT PHYSICAL CUSTODY OF THE
6 OF THE CHILDREN. THIS DESPITE THE FACT THAT THE DEFENDANT CAN 100% PROVE THAT THE PLAINTIFF
7 ALREADY HAD YEARS WORTH OF KNOWLEDGE OF ALLEGED ILLEGAL BEHAVIOR WITH HER DAUGHTER, HER DAUGHTER
8 FROM A PREVIOUS MARRIAGE, INCLUDING ALLEGEDLY FINDING A SEX VIDEO OF HER DAUGHTER THREE MONTHS
9 PRIOR TO THE DIVORCE FILING, A VIDEO FILMED ALLEGEDLY IN THE DEFENDANT'S BEDROOM SOLELY BY HIS
10 STEP-DAUGHTER. HE WAS NOWHERE NEAR THIS "PRODUCTION." WHY NOW IS ALL OF THIS AN ISSUE FOR THE
11 PLAINTIFF? THE DEFENDANT DID NOT COMMIT ANY CRIMES AGAINST HIS FOUR CHILDREN AND NOW OF COURSE
12 HE'S NOT EVEN IN THE SAME HOUSE. THE PLAINTIFF IS ONLY DOING THIS AS A LAST GRAB FOR CONTROL
13 OVER THE DEFENDANT. SHE IS USING THEIR INNOCENT MINOR CHILDREN AS WEAPONS OF REVENGE FOR THE
14 DEFENDANT'S EFFORTS TO BRING HER TO JUSTICE AND TO FIGHT TO GET HIS CASE OVERTURNED. THIS IS NOT
15 A GOOD REASON TO AWARD THE PLAINTIFF WITH SOLE LEGAL CUSTODY AND TO REMOVE THE DEFENDANT FROM
16 HIS CHILDREN'S LIVES. THERE NEEDS TO BE A CHECKS AND BALANCE SYSTEM WITH THIS PLAINTIFF. IT IS
17 INTERESTING TO NOTE THAT THE PLAINTIFF CONTINUES TO ASSERT THAT THE DEFENDANT "WANTS TO STRONG
18 ARM" HER OR TO "CONTROL" HER INTO LETTING HIM TALK TO HIS KIDS. (FIGUEROA EX. 6) WHERE IS THE
19 PROOF? FURTHERMORE, DEFENDANT HAS THE LEGAL RIGHT TO SPEAK TO HIS CHILDREN AND BE INVOLVED IN
20 THEIR LIVES. HE'S BEEN CUT OFF FROM HIS CHILDREN BY THE PLAINTIFF FOR OVER THREE YEARS. THE
21 DEFENDANT IS NOT EVEN SURE WHAT GRADE SOME OF HIS CHILDREN ARE IN NOW. HE HAS NO CLUE WHAT
22 THEIR FAVORITE SUBJECT IS IN SCHOOL, THEIR FAVORITE SONG OR TV SHOW. THIS IS UNACCEPTABLE. HE
23 HAS NO CLUE HOW THEIR HEALTH IS. THREE YEARS IS A VERY LONG TIME TO BE CUT OFF FROM A FATHER
24 AND CHILD RELATIONSHIP, ESPECIALLY DURING THESE TENDER YEARS. HE'S DONE NOTHING TO DESERVE THIS
25 AND THE PLAINTIFF HAS NO LEGAL RIGHT TO DO SO. THE PLAINTIFF'S FIRST HUSBAND AND FATHER OF HER
26 TWO OLDEST CHILDREN HAS PASSED ON BUT THE FOUR YOUNGEST OF HER CHILDREN STILL HAVE A LIVING
27 FATHER, THE DEFENDANT, AND HE WANTS TO BE INVOLVED IN THEIR LIVES. THE DEFENDANT AVERS THAT THE
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1 THAT THE PLAINTIFF'S ACTIONS ARE ILLEGAL. THE DEFENDANT AND HIS CHILDREN CANNOT GET THIS LOST
2 TIME BACK. THE PLAINTIFF BROKE TENNESSEE LAW WHEN SHE ABSCONDED TO NEVADA IN OCTOBER 2016. THE
3 PLAINTIFF WAS REQUIRED TO PROVIDE THE DEFENDANT NOTICE OF HER INTENTION TO RELOCATE 60 DAYS
4 BEFORE HER MOVE. SHE WAS ALSO REQUIRED TO GET A COURT'S PERMISSION TO LEAVE THE STATE OF
5 TENNESSEE AND RELOCATE. IT IS WORTH NOTING THAT AT THE TIME OF ABSCONDMENT THE DEFENDANT HAD
6 NOT BEEN CONVICTED OF ANY CRIME, DID NOT PERPEIRATE ANY CRIME AGAINST HIS CHILDREN, HAD PLED
7 INNOCENT AND THAT ALL OF HIS PARENTAL RIGHTS WERE FULLY INTACT. FOR THE FIRST SIX MONTHS OF
8 HER RELOCATION TO NEVADA, THE PLAINTIFF CONCEALED THE LOCATION OF THEIR CHILDREN AND SHE DID
9 NOT PROVIDE A MAILING ADDRESS OR A PHONE NUMBER FOR THE DEFENDANT TO MAINTAIN CONTACT WITH HIS
10 CHILDREN. HE SPOKE TO HIS CHILDREN FOR THE FIRST TIME IN 14 MONTHS ON OCTOBER 13, 2017 BECAUSE
11 SHE WOULD NOT PROVIDE A PHONE NUMBER. THE DEFENDANT ASSERTS THAT THE RULES OF COMITY SHOULD
12 APPLY TO THIS CASE BECAUSE THE PLAINTIFF DID NOT ADHERE TO TENNESSEE LAW T.C.A. 36-6-108. THE
13 HARRIS CHILDREN HAD TWO SETS OF GRANDPARENTS IN TENNESSEE AND NEARBY KENTUCKY. THREE HALF -
14 SIBLINGS THAT THEY WERE VERY CLOSE TO. AN AUNT, UNCLE AND FIRST COUSIN AND NUMEROUS FRIENDS
15 AT SCHOOL. THESE ARE ALL FACTORS THAT TENNESSEE FAMILY COURTS CONSIDER WHEN DECIDING A CUSTODY
16 OR RELOCATION CASE. WHEN IT COMES TO NEVADA LAW, NV ST 125C.002 SAYS ABOUT LEGAL CUSTODY: WHEN
17 A COURT IS MAKING A DETERMINATION REGARDING THE LEGAL CUSTODY OF A CHILD, THERE IS A PRE-
18 SUMPTION, AFFECTING THE BURDEN OF PROOF, THAT JOINT LEGAL CUSTODY WOULD BE IN THE BEST
19 INTEREST OF A MINOR CHILD IF: (b) A PARENT HAS DEMONSTRATED, OR HAS ATTEMPTED TO DEMONSTRATE
20 BUT HAS HAS HIS OR HER EFFORTS FRUSTRATED BY THE OTHER PARENT, AN INTENT TO ESTABLISH A
21 MEANINGFUL RELATIONSHIP WITH THE MINOR CHILD. THAT SUBSECTION ALONE JUSTIFIES THE DEFENDANT'S
22 RIGHTS TO JOINT LEGAL CUSTODY BECAUSE THE DEFENDANT HAS DEMONSTRATED HIS DESIRE TO MAINTAIN A
23 MEANINGFUL RELATIONSHIP WITH HIS CHILDREN. THE PLAINTIFF HAS CERTAINLY DEMONSTRATED THAT SHE IS
24 FRUSTRATING THE EFFORTS OF THE DEFENDANT.
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1 THE DEFENDANT ARGUES THAT THE PLAINTIFF IS IN NO BETTER POSITION TO DENY HIM ACCESS TO HIS
2 CHILDREN OR TO FRUSTRATE HIS EFFORTS TO MAINTAIN A LOVING AND MEANINGFUL RELATIONSHIP WITH
3 THEM. SHE CERTAINLY IS IN NO POSITION TO ASSUME SOLE LEGAL CUSTODY OF THEIR FOUR MINOR
4 CHILDREN. THE DEFENDANT IS AWARE OF THE LANGUAGE IN NRS 48.045 AND WILL BE INTRODUCING EVIDENCE
5 OF THE PLAINTIFF'S CRIMES, WRONGDOINGS OR ACTS IN AN EFFORT TO SHOW HER UNFITNESS AS A PARENT.
6 ALSO PROOF OF MOTIVE, OPPORTUNITY, INTENT, PREPARATION, PLAN, KNOWLEDGE, IDENTITY, OR ABSENCE
7 OF MISTAKE OR ACCIDENT. AS WELL AS TO ATTACK HER CREDIBILITY UNDER THE REQUIREMENTS IN NRS 50.085
8 THE FOLLOWING ARGUMENT AND THE EVIDENCE SUBMITTED WILL BE RELEVANT FOR NON-PROPENSITY PURPOSES.
9 SEE BIGPOND v. STATE, 128 NEV. 270 P.3d 1244, 1249 (2012). IT IS STRICTLY BEING USED FOR THE
10 PURPOSE OF THE CENTRAL ISSUE BEFORE THE COURT - THE BEST INTEREST OF THE CHILDREN. ALTHOUGH
11 NEVADA LAW DOES NOT ALLOW NEVADA COURT OF APPEAL CASES TO BE CITED, UNLESS THEY HAVE BEEN
12 PUBLISHED, THE DEFENDANT, FOR PURPOSES OF PERSAUSIVE VALUE, FEELS THAT IT IS WORTH NOTING THAT
13 TWO EIGHTH JUDICIAL DISTRICT FAMILY COURTS HAVE CITED GASKILL v. GASKILL, 936 S.W. 2d 626, 630
14 (TENN. CT. APP. 1996). THE NEVADA COURT OF APPEALS AFFIRMED BOTH EIGHTH DISTRICT COURT DECISIONS,
15 ONE FROM 2015, ONE FROM 2018, NOTING THAT A PARENT'S CHARACTER AS EVIDENCED BY THEIR PAST
16 CONDUCT IS A CONSIDERATION FOR COURTS TO WEIGH IN CUSTODY CASES; SEE ALSO ABID v. ABID, 133 NEV.
17 406 P.3d 476, 481 (2017), NOTING THAT "CATEGORICALLY EXCLUDING" RELEVANT EVIDENCE "WOULD FORCE
18 THE DISTRICT COURT TO CLOSE ITS EYES AND POSSIBLY PLACE OR LEAVE A CHILD IN A DANGEROUS LIVING
19 SITUATION." THE COURT ALSO STATED, "A DISTRICT COURT MAY CONSIDER EVIDENCE RELEVANT TO A
20 PARENT'S CONDUCT, INCLUDING MISCONDUCT, BECAUSE A PARENT'S CONDUCT IS RELEVANT TO WHAT CUSTODY
21 ARRANGEMENT IS IN THE BEST INTEREST OF THE CHILD." IN THE 2015 CASE THE COURT DISAVOWED THE USE
22 OF EVIDENCE AS CHARACTER EVIDENCE, BUT ALLOWED IT TO BE PRESENTED FOR OTHER PURPOSES. SEE NRS
23 125C.0035 (4) (i) and (j) (SIBLING RELATIONSHIPS AND HISTORY OF PARENTAL ABUSE OR NEGLECT OF A
24 SIBLING.) HERE, THE DEFENDANT ASSERTS THAT (j), (k), (1), 5 (a), 6 (a) ARE ALSO APPLICABLE TO
25 THE INSTANT CASE. IT REMAINS THE LAW IN NEVADA THAT "WHATEVER MIGHT MOTIVATE ONE TO COMMIT A
26 CRIMINAL ACT IS LEGALLY ADMISSIBLE TO PROVE 'MOTIVE' UNDER NRS 48.045." SEE LEDBETTER v. STATE
27 122 NEV. 252, 678 at 262 (2016). THE SUPREME COURT OF NEVADA, CONSISTENT WITH THE NARROW RULE OF
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1 EXCLUSION, HAS APPROVED OF THE ADMISSION OF EVIDENCE OF UNCHARGED MISCONDUCT FOR NONPROPENSITY
2 PURPOSES OTHER THAN THOSE LISTED IN THE NRS 48.045 (2). SEE, e.g. DOMINGUES v. STATE, 112 NEV.
3 683, 694-95, 917 P.2d 1364, 1372 (1996) (AFFIRMING ADMISSION OF UNCHARGED MISCONDUCT EVIDENCE
4 FOR PURPOSES OF ASSESSING WITNESS CREDIBILITY.) IN BIGPOND v. STATE, SUPRA, THE COURT STATED,
5 "SUCH EVIDENCE IS ADMISSIBLE IF RELEVANT FOR SOME PURPOSE OTHER THAN TO SHOW AN ACCUSED'S
6 CRIMINAL CHARACTER AND THE PROBABILITY THAT HE COMMITTED THE CRIME." 128 NEV. 108, 270 P.3d 1244,
7 1249 at 116. ALSO, THE NEVADA SUPREME COURT UPHELD AN EIGHTH DISTRICT FAMILY COURT CASE IN
8 2017 AND SAID, "A PER SE RULE OF INADMISSIBILITY WOULD SWEEP BROADER THAN THE EXCLUSIONARY
9 RULE IN THE CRIMINAL CONTEXT AND IT WOULD PARTICULARLY BE INAPPROPRIATE HERE BECAUSE A DISTRICT
10 COURT "NEEDS TO CONSIDER AS MUCH RELEVANT EVIDENCE AS POSSIBLE WHEN DECIDING CHILD CUSTODY."
11 ABID v. ABID 133 NEV 770, 406 P.3d 476, 775, at 480. SEE ALSO ROGERS, 633 A.2d at 749 (ADMITTING
12 ALLEGEDLY ILLEGALLY OBTAINED EVIDENCE IN A CHILD CUSTODY PROCEEDING); ACCORD MUNSON, 166 P.2d
13 at 271 (THE CONTROLLING RIGHTS ARE THOSE OF THE MINOR CHILD AND OF THE STATE IN THE CHILD'S
14 WELFARE."); LEE v. LEE, 967 S.W. 2d 82, 85 (MO. CT. APP. (1998))("EVEN EVIDENCE OBTAINED
15 FRAUDULENTLY, WRONGFULLY, OR ILLEGALLY IS ADMISSIBLE.") FOR THE REASONS ABOVE THE DEFENDANT
16 ASKS THAT HIS EXHIBITS BE ENTERED INTO EVIDENCE AND THAT THE CONTENTS AND CONTEXT OF HIS
17 ARGUMENT BE TAKEN INTO SERIOUS CONSIDERATION WHEN DECIDING THIS CASE. IF THE DEFENDANT'S
18 ALLEGED CRIMES ARE TO BE BELIEVED BY THIS COURT THEN THE COURT SHOULD CONSIDER THESE FACTS
19 ABOUT THE PLAINTIFF. THE PLAINTIFF HAS ENGAGED IN NUMEROUS SEXUAL SITUATIONS AS A MINOR HERSELF.
20 SHE NOT ONLY ADMITTED TO AN UNDERAGE SEXUAL RELATIONSHIP TO THE COURT (FIGUEROA EX. 1) BY
21 CLAIMING THAT SHE WAS 17 AND HER BOYFRIEND IN HIS 20'S, STILL A MINOR, SHE IN FACT WAS 16 WHEN
22 THIS ILLEGAL AFFAIR/RELATIONSHIP COMMENCED. HER BOYFRIEND WAS 23-24 AT THAT TIME. IN LATE 1992
23 OR EARLY 1993 WHEN THE PLAINTIFF WAS 16 YEARS OLD SHE MADE A HOMEMADE SEX VIDEO WITH HER ADULT
24 BOYFRIEND, MR. GREENSTEIN. SHE MADE THIS WILLFULLY AND WILLINGLY IN A MOTEL ROOM WITH CANDLES
25 AND "ROMANTIC" LIGHTING. HER SO CALLED "PERFORMANCE" WAS SET TO THE MADONNA SONG, "EROTICA",
26 WHICH WAS A HIT SONG IN NOVEMBER 1992. THE PLAINTIFF WAS BORN IN 1976 AND THIS MADE HER 16 AT
27 THE TIME. THE PLAINTIFF STILL HAS A VHS COPY OF THIS VIDEO AND IT'S IDENTIFIED BY ONLY AN
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1 ORANGE STICKER. A DIGITAL COPY OF THIS VIDEO IS IN THE EVIDENCE OF DEFENDANT'S TENNESSEE CASE
2 AND IT IS KNOWN TO LAW ENFORCEMENT. ALSO, AROUND 1992, AT AGE 16, THE PLAINTIFF DATED A MAN
3 NAMED DAN ROOT. HE WAS ABOUT THE SAME AGE AS THE PLAINTIFF AT THE TIME. HE WAS A CLASSMATE AND
4 FANCIED HIMSELF A PHOTOGRAPHER WHO ALSO DEVELOPED HIS OWN FILM. THE PLAINTIFF POSED WILLINGLY
5 FOR A PHOTO WHERE SHE EXPOSED HER BREASTS WHILE LYING ON HER BACK OUTSIDE IN THE CALIFORNIA
6 HIGH DESERT (PALMDALE OR LANCASTER). SHE WAS NOT A VICTIM IN ANY OF THE TWO DESCRIBED SITUATIONS.
7 SHE PARTICIPATED FREELY AND EVEN INSTIGATED THESE SITUATIONS. AS AN ADULT THE PLAINTIFF HAS
8 MADE HUNDREDS, PERHAPS THOUSANDS OF SEX VIDEOS. SOMETIMES FOR THE DEFENDANT, BY HER OWN VOLITION
9 AND PROVOCATION, AND SOMETIMES FOR OTHER MEN WHILE MARRIED TO THE DEFENDANT. SHE WOULD ALSO
10 POST OR SHARE THESE PHOTOS OR VIDEOS ONLINE TO VARIOUS WEBSITES, INCLUDING A SEX VLOG SHE HAD
11 STARTED IN 2010 OR 2011. BECAUSE OF THIS BEHAVIOR THAT THE PLAINTIFF ENGAGED IN AS A MINOR
12 AND LATER AS AN ADULT, THE PLAINTIFF OBVIOUSLY HAS NO ISSUES WITH HER TWO OLDEST DAUGHTERS FROM
13 A PREVIOUS MARRIAGE ENGAGING IN LIKE BEHAVIOR. (HARRIS EX. 1.) POLICE REPORTS FILED BY THE
14 DETECTIVE IN THE DEFENDANT'S CRIMINAL CASE NOTE THAT THE PLAINTIFF TOLD HIM THAT YEARS BEFORE
15 SHE HAD THE DEFENDANT ARRESTED SHE HAD FOUND NUDE PHOTOS OF HER MINOR DAUGHTERS ON A DIGITAL
16 CAMERA. SHE CLAIMED THAT THE DEFENDANT TOOK THESE PHOTOS FOR THEIR BOYFRIENDS. IF THIS IS TRUE
17 THEN WHY DIDN'T THE PLAINTIFF, THIS MOTHER SEEKING SOLE LEGAL CUSTODY, CALL THE POLICE? SHE DID
18 ABSOLUTELY NOTHING OF THE KIND. IF TRUE, SHE MUST NOT HAVE BEEN BOTHERED BY IT AND SINCE SHE
19 HERSELF POSED NUDE FOR PHOTOS AND MADE SEX VIDEOS AS A MINOR IT MUST NOT HAVE BEEN A BIG DEAL.
20 THE PLAINTIFF WAS AWARE, (RF) THE ELDEST DAUGHTER, A MINOR AT THE TIME (AGE 15-17), WAS HAVING
21 SEXUAL INTERCOURSE WITH ADULTS 18-21 YEARS OLD. THERE WERE AT LEAST FOUR THAT THE DEFENDANT CAN
22 RECALL. CHASE, BRAYDEN WERE THE FIRST TWO. THEN THE OLDEST DAUGHTER'S SUPERVISOR AT K-MART AND
23 AN UNKNOWN HIGH SCHOOL SENIOR. ALL FOUR MEN WERE LEGAL ADULTS WHILE HER DAUGHTER WAS BETWEEN
24 15-17 YEARS OLD. THE PLAINTIFF DID NOT CARE, DID NOTHING ABOUT IT. HER ONLY COURSE OF ACTION
25 WAS TO GET HER DAUGHTER ON BIRTH CONTROL. SHE ALLOWED THESE RELATIONSHIPS TO RUN THEIR COURSE.
26 WHAT WAS GOOD FOR THE PLAINTIFF AS A MINOR SEEMS TO HAVE BEEN GOOD FOR HER MINOR DAUGHTERS. IN
27 APRIL 2016, FOUR MONTHS BEFORE SHE HAD THE DEFENDANT ARRESTED, THE PLAINTIFF SENT HIM AN EMAIL
28

1 THAT SHE HAD "FOUND" A SEX VIDEO OF HER 15 YEAR OLD DAUGHTER AND THAT THE DEFENDANT WAS
2 SOMEHOW ALLEGEDLY INVOLVED. THE DEFENDANT DID NOT FILM IT, NOR WAS HE IN THE ROOM AT THE TIME.
3 THIS WAS A RUSE BECAUSE THE PLAINTIFF HAD BEEN EXTORTING THE DEFENDANT FOR A VERY LONG TIME.
4 LATER THAT DAY SHE INFORMED HIM THAT IF HE DOESN'T LET HER MOVE TO LAS VEGAS WITH THEIR KIDS,
5 A MOVE THAT HE WAS AGAINST, THAT SHE WOULD TURN HIM IN FOR ALL, "THE THINGS THAT YOU AND SARA
6 DO." THE DEFENDANT WAS ABLE TO RECORD THIS CONVERSATION. THE EMAIL AND THE RECORDING, BOTH
7 TIME AND DATE STAMPED, ARE PRESERVED. IF THE COURT BELIEVES THAT THE DEFENDANT COMMITTED HIS
8 CRIMES THEN LET IT BE KNOWN THAT THE PLAINTIFF, THIS MOTHER SEEKING SOLE LEGAL CUSTODY, HAD
9 CRYSTAL CLEAR KNOWLEDGE THAT YET MORE ILLEGAL SEXUAL CRIMES INVOLVING HER DAUGHTER WAS ALLEGEDLY
10 OCCURING, AND THAT SHE DID NOTHING AT ALL ABOUT IT. SHE IN FACT USED THIS KNOWLEDGE AND LEVERAGE
11 TO HER ADVANTAGE AGAINST THE DEFENDANT TO EXTORT HIM. THE DAUGHTER'S INTERVIEW WITH DCFS AND
12 LAW ENFORCEMENT WAS RECORDED ON VIDEO/AUDIO. SHE REVEALED AND SAID THAT HER MOM KNEW THAT SEXUAL
13 CRIMES WERE ALLEGEDLY OCCURING BETWEEN HER AND THE DEFENDANT BUT THAT SHE WAS "GIVING HIM A
14 CHANCE." "HIM" WAS THE DEFENDANT. THIS VIDEO IS IN EVIDENCE IN TENNESSEE AND THE DEFENDANT'S
15 TRIAL LAWYER TESTIFIED AT THE POST CONVICTION HEARING THAT HE SAW AND HEARD THE PLAINTIFF'S
16 DAUGHTER OFFER UP THIS INFORMATION TO LAW ENFORCEMENT. (HARRIS EX. 2 pg 2) THE TRUTH IS THAT
17 THROUGHOUT THE ENTIRE CRIMINAL CASE THE PLAINTIFF MADE NUMEROUS ALLEGATIONS AND ADMISSIONS THAT
18 SHE "FOUND" NUDE PHOTOS OR SEX VIDEOS OF HER DAUGHTER, OR THAT SHE HAD "CAUGHT" THE DEFENDANT
19 AND HER DAUGHTER "DOING INAPPROPRIATE THINGS" OR "ACTING WEIRD." THE PETITIONER, THIS MOTHER
20 SEEKING SOLE LEGAL CUSTODY, DID NOTHING, NOTHING AT ALL ABOUT ANY OF THIS ALLEGED BEHAVIOR.
21 NO COPS, NO MOVING OUT, KEPT LIVING WITH THE DEFENDANT, EXTORTED HIM INTO DOING THINGS FOR HER,
22 ETC. SHE HAD A DUTY UNDER TENNESSEE LAW T.C.A. 39-11-402 TO REPORT THESE ALLEGED CRIMES, TO
23 STOP THE ALLEGED CRIMES, AND SHE DID NOTHING OF THE SORT. SHE IN FACT FACILITATED THESE ALLEGED
24 CRIMES OVER THE YEARS. IN 2013 (JULY), THE PLAINTIFF SIGNED HER DAUGHTER UP FOR HOMESCHOOL TO BE
25 ALONE WITH THE DEFENDANT ALL DAY, EVERY DAY. HER DAUGHTER SARA WAS THE ONLY CHILD OUT OF SIX OF
26 THEIR SCHOOL AGE CHILDREN TO BE HOMESCHOOLED. CHOSEN PURPOSELY BY THE PLAINTIFF. THE DEFENDANT
27 HAD NOTHING TO DO WITH THIS DECISION. HE WAS THE STEP-PARENT AND HAD NO AUTHORITY TO SIGN HER UP
28

1 FOR HOMESCHOOL. THE DEFENDANT WORKED FROM HOME AND THE PLAINTIFF WORKED IN NASHVILLE. ON
2 OCTOBER 5, 2016, THE ELDEST DAUGHTER "RF" WAS INTERVIEWED BY LAW ENFORCEMENT. SHE CONFIRMED
3 THAT A PHOTO THAT THE DETECTIVE DISCOVERED OF HER NUDE SIDE BY SIDE THE DEFENDANT FROM EARLY
4 2013, A PHOTO THAT THE DEFENDANT DID NOT TAKE BECAUSE HE APPEARED IN THE PHOTO, A PHOTO THAT
5 THE DEFENDANT AVERS THAT THE PLAINTIFF TOOK DUE TO HER DESIRE FOR THEM TO BECOME A "NUDIST
6 FAMILY", WAS ONE OF THE NUDE PHOTOS THAT HER MOTHER, THE PLAINTIFF, SAID SHE "FOUND" ON A
7 DIGITAL CAMERA YEARS PRIOR TO THE DEFENDANT'S ARREST. THE CONFIRMED PHOTOS BY THE ELDEST STEP-
8 DAUGHTER TO LAW ENFORCEMENT PRE-DATE, BY 7 MONTHS, THE PLAINTIFF SIGNING UP HER DAUGHTER SARA
9 FOR HOMESCHOOL SO SHE CAN "BE WITH" THE DEFENDANT. THIS ONCE AGAIN PROVES THE PLAINTIFF'S
10 KNOWLEDGE OF THE EXISTANCE OF ALLEGED SEXUAL MISCONDUCT HAD BEEN OCCURING. SO WHY IS THE
11 PLAINTIFF, THIS MOTHER SEEKING SOLE LEGAL CUSTODY, PURPOSEFULLY SIGNING UP HER MINOR DAUGHTER,
12 AND ONLY THIS DAUGHTER, UP FOR HOMESCHOOL? IF THE DEFENDANT IS ABUSING HER DAUGHTER AND IS
13 MAKING VIDEO OR PHOTO PRODUCTIONS OF A SEXUAL NATURE, WHY ARE YOU SIGNING HER UP FOR HOMESCHOOL
14 TO BE WITH THE DEFENDANT ALL DAY, EVERY DAY? WHAT KIND OF MOTHER IS THE PLAINTIFF WHO IS
15 SEEKING SOLE CUSTODY AND TRYING TO RUIN THE DEFENDANT, ONE TO GIVE "CHANCES" TO ANYONE WHO IS
16 ALLEGEDLY ABUSING A MINOR? IT CAN BE PROVEN THAT SHE ASSISTED AND KNEW OF THIS ALLEGED BEHAVIOR
17 WAS OCCURING. WHAT KIND OF MOTHER IS INVOLVED IN TAKING PHOTOS OF HER DAUGHTERS NUDE, SIGNING
18 ONE OF THEM UP FOR HOMESCHOOL AND FACILITATING THESE EFFORTS TO COMMIT THESE ALLEGED CRIMES?
19 THE DEFENDANT ASKED THE PROSECUTOR, WHO WAS FEMALE AND BELIEVED BY THE DEFENDANT TO BE COVERING
20 FOR THE PLAINTIFF OR LOOKING THE OTHER WAY IN REGARDS TO HER CULPABILITY AND INVOLVEMENT. THE
21 PROSECUTOR IGNORED THE QUESTION OF WHAT KIND OF MOTHER GIVES SOMEONE "CHANCES" IF THEIR CHILD
22 IS BEING SEXUALLY ABUSED AND HAD YEARS WORTH OF KNOWLEDGE OF THESE ALLEGED CRIMES. IN FACT, THE
23 PROSECUTOR MOVED TO CHANGE THE SUBJECT RIGHT AFTER SHE TRIED TO SHIFT THE BLAME OF NOT
24 CHARGING THE PLAINTIFF TO ANOTHER JURISDICTION. (HARRIS EX. 2 pgs 10-11). IT SHOULD BE NOTED IN
25 THE MATTER OF THE PARENTAL RIGHTS AS TO A.J.G., 122 NEV 1418, THAT ONE OF THE FACTORS THE COURT
26 CITED WHEN IT TERMINATED THE MOTHER'S PARENTAL RIGHTS WAS THAT SHE KNEW THE ABUSE WAS OCCURING
27 AT THE HANDS OF HER LIVE IN BOYFRIEND AND DID TAKE OR MAKE ANY EFFORTS TO PREVENT THE ABUSE
28

1 FROM REOCCURRING. HOW IS THIS ANY DIFFERENT FROM THE PLAINTIFF'S ACTIONS, THIS MOTHER SEEKING
2 SOLE LEGAL CUSTODY? THE DEFENDANT HAS NOT COMMITTED ONE SINGLE CRIME AGAINST ANY OF HIS
3 BIOLOGICAL CHILDREN. THE SAME CANNOT BE SAID FOR THE PLAINTIFF, MS. FIGUEROA. SHE HAS COMMITTED
4 SEX CRIMES DIRECTLY AND INDIRECTLY AGAINST HER TWO DAUGHTER'S FROM A PREVIOUS MARRIAGE. THE
5 DEFENDANT IS VERY CONCERNED FOR HIS TWO DAUGHTERS THAT HE SHARES WITH THE PLAINTIFF. FIFTEEN
6 YEAR OLD, ISABELLE, WHO THE DEFENDANT SHARES THE SAME BIRTHDAY WITH, AND TWELVE YEAR OLD, REAGAN.
7 HE FEARS FOR THEIR CARE UNDER THE PLAINTIFF. GIVEN THE PLAINTIFF'S OWN BEHAVIOR AS A MINOR AND
8 WHAT SHE ALLOWED, FACILITATED OR CONTRIBUTED TO IN REGARDS TO THE DEFENDANT'S ALLEGED CRIMES,
9 ALLOWING HER MINOR DAUGHTER TO CARRY ON SEXUAL RELATIONSHIPS WITH ADULTS, CONCERN IS WARRANTED
10 BY THE DEFENDANT. CLEARLY ANOTHER REASON NOT TO AWARD SOLE LEGAL CUSTODY TO THE PLAINTIFF.
11 THERE SHOULD BE A CHECKS AND BALANCES. THE PRESIDENT OF THE UNITED STATES MAY BE THE "TOP DOG"
12 BUT HE/SHE STILL HAS TO DEAL WITH THE CONGRESS. ANOTHER ISSUE IS THE CREDIBILITY OF THE PLAINTIFF.
13 HER MORAL COMPASS AND ETHICS ARE BEYOND BROKEN. THE PLAINTIFF LOVES TO PLAY THE VICTIM, LOVES
14 DRAMA AND WILL DO ANYTHING FOR MONEY, SYMPATHY OR ATTENTION, i.e. GOFUND ME SCAMS, SOCIAL MEDIA
15 POSTS, ETC. ONE OF THE REASONS THAT THE PLAINTIFF NEVER TURNED THE DEFENDANT INTO THE POLICE IS
16 BECAUSE SHE WAS EXTORTING HIM INTO NOT ONLY CERTAIN TYPES OF BEHAVIOR BUT TO MAINTAIN CONTROL
17 OVER HIM, TO FORCE HIM TO OBTAIN MONEY FROM HIS WEALTHY OR FAMOUS FRIENDS, TO START A NON-PROFIT
18 CHARITY AND TO RAISE MONEY FOR THE CHARITY BY MAKING HIM GET AUCTION ITEMS FROM THE DEFENDANT'S
19 CELEBRITY CONTACTS OR FRIENDS. THREE DAYS BEFORE SHE HAD THE DEFENDANT ARRESTED THE PLAINTIFF
20 INFORMED HIM THAT SHE WANTED A SALARY OF \$100,000 A YEAR FOR "WORKING" FOR THEIR NON-PROFIT AND
21 THAT SHE WANTED HIM TO BE THE DESIGNATED FUND RAISER. THE PLAINTIFF ALSO DEMANDED THAT SHE BE
22 ALLOWED TO KEEP (STEAL) THE \$20,000 THAT WAS ABOUT TO BE PAID OUT FROM AN AUCTION ITEM GIVEN TO
23 THE DEFENDANT PERSONALLY FROM SIR PAUL MCCARTINEY. THE DEFENDANT REFUSED TO AGREE TO ANY OF THOSE
24 TERMS AND REMINDED HER THAT THE \$20,000 WAS TO GO TO THEIR CHARITY TO BENEFIT NEEDY FAMILIES IN
25 THE NASHVILLE AREA. THE PLAINTIFF WARNED THE DEFENDANT WHAT WOULD HAPPEN IF HE DID NOT COMPLY
26 WITH HER DEMANDS. THREE DAYS LATER, AFTER TAKING THAT WEEKEND TO SECRETLY GET HER "DUCKS IN A
27 ROW", THE PLAINTIFF HAD THE DEFENDANT ARRESTED ON MONDAY AUGUST 22, 2016. (HARRIS EX. 7) CLEARLY
28


1 SHOWS THAT UNKNOWN TO THE DEFENDANT, THE PLAINTIFF ALREADY HAD RECEIVED THE \$20,000 PAYMENT
2 FROM CHARITYBUZZ.COM 10 DAYS PRIOR TO HAVING THE DEFENDANT ARRESTED. SHE KNEW THAT SHE COULD NOT
3 KEEP THE \$20,000 HIDDEN FROM HIM LONG AND SHE KNEW HE WOULD NOT ALLOW HER TO STEAL OR EMBEZZLE
4 THIS MONEY FOR HER OWN PERSONAL GAIN. BY HAVING HIM ARRESTED THREE DAYS AFTER THEIR "SHOW DOWN"
5 THE PLAINTIFF GAINED FREE AND CLEAR ACCESS AND CONTROL OF THE \$20,000. THE FIRST THING SHE
6 PURCHASED WITH THE STOLEN FUND WAS A BRAND NEW IPHONE. SHE EVEN TOOK TO FACEBOOK TO SHOW IT OFF.
7 NOT ONE DIME OF THE \$20,000 WENT TO THEIR CHARITY. THE PLAINTIFF USED IT FOR HER OWN ENJOYMENT.
8 THE PLAINTIFF THEN PROCEEDED TO CREATE A SYMPATHY BASED GOFUND ME FIVE DAYS AFTER SHE HAD THE
9 DEFENDANT ARRESTED AND USED THIS PLATFORM TO ANNOUNCE HIS ARREST AND ALLEGED CRIMES. (HARRIS EX.
10 4) IS THE COMPLETE RECORD OF ALL OF HER UPDATES ON GOFUND ME. AS THE COURT CAN SEE SHE CLAIMS
11 THAT IT IS DAY 5. THIS WOULD IMPLY THAT THE DATE IS APPROXIMATELY AUGUST 27, 2016. THIS IS ALSO
12 PROOF THAT SHE HAD ALREADY SECURED THE \$20,000 TWO WEEKS EARLIER. THE PLAINTIFF THEN EXPLOITS
13 THE ALLEGED CRIMES AND HER DAUGHTER'S AND DEFENDANT'S SITUATION FOR FINANCIAL GAIN. READING THE
14 COMPLETE EXHIBIT (HARRIS EX. 4) SHOWS THAT THE PLAINTIFF IS ASKING FOR MONEY, PLANE TICKETS AND
15 MOVING TRUCKS, GAS, STORAGE UNITS, ETC. THE COURT NOW HAS PROOF THAT SHE ALREADY HAD \$20,000.
16 (HARRIS EX. 7) SHE ALLUDES TO FINANCIAL DIFFICULTY AND NEVER MENTIONS HER WINDFALL OF \$20,000.
17 SHE ALSO CELEBRATES THE DEFENDANT'S PRISON TIME, WISHING IT WAS MORE AND THAT A LIFE SENTENCE
18 WAS NOT EVEN ENOUGH. SHE GOES ON TO CALL THE DEFENDANT A "PIECE OF SHIT" AND THAT SHE HATES HIM.
19 YET SHE SUBMITS PRIVATE LETTERS WRITTEN BY THE DEFENDANT TO HER AS EXHIBITS SHOWING THAT SHE
20 FEELS THE DEFENDANT IS BEING RUDE TO HER OR IS AGGRESSIVE TOWARDS HER. THE PLAINTIFF'S ATTACKS ON
21 THE DEFENDANT ARE PUBLIC AND ON SOCIAL MEDIA. SHE HAS AN AUDIENCE, IS HOLDING COURT. THESE
22 ATTACKS ON THE DEFENDANT ARE STILL ONLINE AND AN EASY GOOGLE SEARCH AWAY FOR THEIR CHILDREN TO
23 SEE. ANY ISSUES THE DEFENDANT HAS HAD WITH THE PLAINTIFF HAS BEEN KEPT PRIVATE AND BETWEEN THEM
24 ONLY AND NOT THE CHILDREN. IT IS WORTH MENTIONING THAT WHILE THE PLAINTIFF WAS TRYING TO COME
25 OFF CLUELESS, BETRAYED AND FEARING THAT SHE WOULD LOOK "LIKE A BAD MOTHER FOR FAILING TO PROTECT
26 MY DAUGHTER" - THE EVIDENCE AND THE EXHIBITS PROVE THAT SHE HAD YEARS WORTH OF KNOWLEDGE AND
27 NUDE PHOTOS OR SEX VIDEOS OF HER DAUGHTERS AND THAT SHE WAS HANDING OUT "CHANCES" TO THE
28

1 DEFENDANT. THE ONLY "CHANCES" THE DEFENDANT AVERS HE WAS GIVEN IS TO DO WHAT THE PLAINTIFF WANTED
2 OR ELSE SUFFER THE WRATH. SHE OBVIOUSLY NEGLECTS TO MENTION ANY OF THIS TO THE PUBLIC, THE
3 PEOPLE OR SUPPORTERS SHE IS TRYING TO MANIPULATE INTO SENDING HER MONEY TO GAIN SYMPATHY. SHE
4 NEGLECTS TO MENTION HER OWN SEX PRODUCTIONS, FAILS TO REVEAL THAT SHE TOO MADE AN UNDERAGE SEX
5 TAPE AND ALLOWED NUDE PHOTOS OF HERSELF TO BE TAKEN WHILE SHE WAS A MINOR. SHE FAILS TO MENTION
6 HER OWN SEXUAL AND UNDERAGE RELATIONSHIPS WITH ADULTS AND THAT SHE ALLOWED HER OLDEST DAUGHTER
7 TO HAVE NUMEROUS SEXUAL RELATIONSHIPS WITH ADULTS WHEN HER DAUGHTER WAS A MINOR. WHAT WOULD ALL
8 OF THESE PEOPLE THINK IF THEY KNEW ABOUT THE \$20,000, THE PLAINTIFF'S KNOWLEDGE OF THESE
9 NUMEROUS, ALLEDGED SEX CRIMES WITH HER DAUGHTER OCCURING OVER THE YEARS, NOT DOING A THING ABOUT
10 IT, EVEN SIGNING HER DAUGHTER UP FOR HOMESCHOOL TO BE ALONE WITH THE DEFENDANT ALL DAY? THIS
11 IS FROM A MOTHER WHO WANTS SOLE LEGAL CUSTODY OF THE DEFENDANT'S CHILDREN. THE DEFENDANT WANTS
12 THE COURT TO SEE THIS FOR WHAT IT TRULY IS AND THAT THE PLAINTIFF IS STARTING TO REALIZE THAT
13 THE DEFENDANT HAS STARTED TO OBTAIN EVIDENCE THAT PROVES THE PLAINTIFF'S CULPABILITY AND HER
14 INVOLVEMENT IN CRIMES AGAINST HER CHILDREN. ALSO, EMBEZZLEMENT AND DEFRAUDING THE IRS. (HARRIS
15 EX. 5) THIS IS A CONTROL TACTIC AND A LAST DITCH EFFORT AT THAT. IT IS ALSO A REVENGE TACTIC FOR
16 THE DEFENDANT ATTEMPTING TO BRING THE PLAINTIFF TO JUSTICE. THE PLAINTIFF IS IN NO POSISTION TO
17 HAVE SOLE LEGAL CUSTODY OF THEIR CHILDREN BASED ON HER OWN BEHAVIOR AND HISTORY. THE PLAINTIFF
18 HAD A HISTORY OF EMBEZZLEMENT PRIOR TO THE \$20,000. IN 1999 OR 2000, SHE EMBEZZLED ABOUT \$2000
19 FROM HER EMPLOYER IN CALIFORNIA. SHE WAS CAUGHT BY THE OWNERS BUT NO CHARGES WERE FILED. THE
20 DEFENDANT LOVES AND ADORES HIS CHILDREN AND WILL DO WHAT IT TAKES TO REMAIN IN THEIR LIVES. THEY
21 LOVE THEIR DADDY, WHO HAS NEVER HARMED THEM OR ABANDONED THEM. THE DEFENDANT HAS NO PROBLEM BEING
22 CORDIAL AND POLITE TO THE PLAINTIFF WHEN MAKING DECISIONS THAT IS IN THE BEST INTEREST OF THE
23 CHILDREN. HE IS 100% ABLE TO COMMUNICATE AND COOPERATE WITH THE PLAINTIFF IN THIS EFFORT. BEING
24 IN PRISON DOES NOT RENDER THE DEFENDANT USELESS. IT DOESN'T RENDER HIM A BAD PERSON NOR FATHER.
25 HE IS FULLY CAPABLE OF MAKING SOUND AND INFORMATIVE DECISIONS REGARDING HIS CHILDREN'S HEALTH,
26 EDUCATION, RELIGIOUS UPBRINGING OR ANYTHING ELSE APPLICABLE. HE'S BEEN ABLE TO COMPOSE SONGS
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1 AND HAS BEEN ABLE TO NEGOTIATE DEALS AND CONTRACTS FOR TWO PUBLISHING COMPANIES WHILE HE'S
2 BEEN INCARCERATED. HIS INCARCERATION HAS NOT HAMPERED HIS ABILITY IN ANY WAY TO MAKE BUSINESS
3 DECISIONS, LET ALONE FIGHT TWO COURT CASES. THE INSTANT CASE AND HIS FEDERAL HABEAS CORPUS. THE
4 TRUTH IS THE PLAINTIFF AND DEFENDANT NEVER REALLY FOUGHT MUCH IN THEIR MARRIAGE. THEY USUALLY
5 AGREED ON HOW TO RAISE THE CHILDREN. HAD THE PLAINTIFF NOT HAD THE DEFENDANT ARRESTED THEIR
6 MINOR CHILDREN WOULD HAVE BEEN STUNNED BY THEIR PARENT'S UPCOMING DIVORCE. THE PLAINTIFF DID
7 MENTION TWO THINGS REGARDING THE BOND THAT THE DEFENDANT SHARES WITH HIS CHILDREN ON HER GOFUND
8 ME SCAM. SHE SAID THAT ISABELLE, WHO SHARES THE SAME BIRTHDAY AS HER FATHER, THE DEFENDANT, DOES
9 NOT WANT TO CELEBRATE HER BIRTHDAY UNTIL HER DADDY GETS OUT OF JAIL. AND RIVER, THE BABY OF THE
10 FOUR, "KEEPS ASKING TO TALK TO DADDY." (HARRIS EX. 4) THE PHOTOS AND LETTERS OF AND FROM THE
11 CHILDREN IN THE DEFENDANT'S EXHIBITS (HARRIS EX. 9) SHOWS THAT BOND BETWEEN THEIR FATHER AND
12 THEM.

CONCLUSION

1 FOR ALL OF THE REASONS STATED IN THIS BRIEF, THE DEFENDANT ASKS THIS HONORABLE COURT TO DENY
2 THE PLAINTIFF'S CUSTODY COMPLAINT IN REGARDS TO HER SOLE LEGAL CUSTODY REQUEST. THE DEFENDANT
3 ALSO REQUESTS THAT THE COURT ENSURES THE DEFENDANT THAT HIS JOINT LEGAL CUSTODY RIGHTS REMAIN
4 INTACT AND THAT THE PLAINTIFF BE COMPELLED TO ALLOW THE DEFENDANT TO SPEAK TO HIS CHILDREN AT
5 LEAST ONCE A WEEK, ON THEIR BIRTHDAYS AND ALL MAJOR HOLIDAYS. HE REQUESTS THAT HIS MAIL BE
6 UNCENSORED AND UNREAD BY THE PLAINTIFF, AS MOST COURTS ALLOW. HE ALSO REQUESTS THAT HIS PHONE
7 CALLS TO HIS CHILDREN ARE NOT MONITORED BY THE PLAINTIFF, AS MOST COURT'S ALSO ALLOW. THE PRISON
8 WHERE THE DEFENDANT IS LOCATED IS WORKING ON GETTING TABLETS AND WITH THAT THE ABILITY TO VIDEO
9 CHAT OR "VISIT" WITH FAMILY VIA THE TABLET LATER THIS YEAR. THE DEFENDANT WOULD LIKE TO HAVE
10 THE OPTION OF VIDEOCHATTING WITH HIS CHILDREN WHEN IT BECOMES A REALITY. THE DEFENDANT IS FIERCELY
11 FIGHTING HIS CONVICTION AND CASE. HE BELIEVES THAT THE 6th CIRCUIT WILL OVERTURN HIS CONVICTION.
12 SO DOES HIS LAWYER WHO IS ALSO A LAW PROFESSOR AT MTSU. HE IS FIGHTING FOR HIS FREEDOM SOLELY
13 SO THAT HE CAN BE THERE FOR HIS CHILDREN. IF THE PLAINTIFF IS UNWILLING TO COOPERATE OR EVEN
14 COMMUNICATE WITH THE DEFENDANT IN THE BEST INTEREST OF THEIR CHILDREN THEN THAT'S ON HER. IT
15 SHOULD NOT IMPACT THE DEFENDANT WHO IS WILLING TO COMPROMISE AND WORK WITH THE PLAINTIFF. HE IS
16 READY AND ABLE TO DO THAT FOR HIS CHILDREN. THE PLAINTIFF HAS TRULY FOOLED MANY PEOPLE. INCLUDING
17 HER FAMILY AND FRIENDS. THE PLAINTIFF LIVES IN THE PROVERBIAL GLASS HOUSE. SO WHY IS SHE THROWING
18 STONES AT THE DEFENDANT?
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☒ Plaintiff / ☐ Defendant, In Proper Person

District Court

CLARK COUNTY, NEVADA

Jenniffer Figueroa

Plaintiff(s),

vs.

Ronald David Harris

Defendant(s).

Case No.: D-20-606828-C
Dept. No.: N
Date of Hearing: May 31, 2022
Time of Hearing: 3:00 PM

Plaintiff's Brief

When Mr. Harris was first incarcerated in 2016, Ms. Figueroa allowed him to write and call the kids because they were so young (ages 9, 6, 6, & 4) and only knew he was in jail and not why. But by 2019 Mr. Harris grew increasingly volatile and tried to control Ms. Figueroa over the phone calls. In Ms. Figueroa's opinion, he had convinced himself that he did nothing wrong, that Ms. Figueroa stole all his property and that somehow he had been wrongly incarcerated. To this day Mr. Harris does not take any accountability for what he has done. Mr. Harris is correct that Ms. Figueroa's two previous court filings from 2017 & 2019 regarding custody in Nevada were denied, but he is misinformed as to why the Judge refused to make a decision in the case. The first case was denied because Ms. Figueroa filed the case when she had yet to establish residency in Clark County. The kids and Ms. Figueroa had only been in Las Vegas, Nevada a few months, therefore, the judge could not make a decision on it because they were not

1 considered residents yet as it was less than 6 months. The 2nd time, Ms. Figueroa had filed
2 again, this time using the same case number, not realizing that she was supposed to file a brand
3 new case since establishing residency. Hence why there had to be a third filing made by Ms.
4 Figueroa.

5 Ms. Figueroa's EX-PARTE to forego mediation between her and Mr. Harris was due to a number
6 of facts, which include his incarceration and their inability to communicate without Mr. Harris
7 becoming hostile or manipulative. Ms. Figueroa did not feel that they could come to a resolution,
8 as she feels that a relationship between Mr. Harris and his children would be more harmful than
9 good.

10 Mr. Harris would like the court to believe that he wants a close and loving relationship with his
11 children, yet ninety eight percent of the mail (which was submitted in previous picture exhibits)
12 received at Ms. Figueroa's address is addressed to Mr. Harris' victim Sara Fix. Mr. Harris
13 continues harassing Ms. Fix, and minimally writes his children.

14 Unfortunately, as time went on Mr. Harris' aggressive behavior with letters and phone calls with
15 Ms. Figueroa, as well as his obsessive behavior of sending hundreds of letters to her daughter
16 Sara Fix (Mr. Harris' victim), Ms. Figueroa decided that cutting all ties with Mr. Harris was what
17 was best for the children. Mr. Harris is, by definition a violent sex offender, per the Title 40
18 Criminal Procedure Chapter 39 Sexual Offender Registration and Monitoring Part 2 Tennessee
19 Sexual Offender and Violent Sexual Offender Registration, Verification and Tracking Act of
20 2004.(29) *"Violent sexual offender" means a person who has been convicted in this state of*
21 *committing a violent sexual offense or has another qualifying conviction; (30) "Violent sexual*
22 *offense" means the commission of any act that constitutes the criminal offense of: (A)*
23 *Aggravated rape, under § 39-2-603 [repealed] or § 39-13-502; (B) Rape, under § 39-2-604*
24 *[repealed] or § 39-13-503; (C) Aggravated sexual battery, under § 39-2-606 [repealed] or § 39-*

1 13-504; (D) Rape of a child, under § 39-13-522; (E) Attempt to commit rape, under § 39-2-608
2 [repealed]; (F) Aggravated sexual exploitation of a minor, under § 39-17-1004.” Mr. Harris pled
3 guilty to (F) Aggravated sexual exploitation of a minor under § 39-17-1004. Mr. Harris only took
4 accountability for his actions when he took his plea deal, and is now attempting to take it all back
5 by trying to appeal his case claiming his lawyer advised him poorly. In a previous exhibit filed
6 by Ms. Figueroa, Mr. Harris filed a Post-Conviction relief that was denied, as well as the appeal
7 he filed of that denial that was affirmed. Ms. Figueroa and her daughter Sara Fix, who was Mr.
8 Harris' sexual abuse victim were 100% willing to go to trial, as there was so much photo and
9 video evidence against Mr. Harris that he was facing 100 plus years in prison. In an exhibit that
10 Ms. Figueroa previously submitted, Mr. Harris is directly quoted on page 12 in the last paragraph
11 by saying: “that 12 jurors would basically crucify me, and I would get, what, 13 charges times
12 30 years. Like 190 years or something crazy.”

13 Mr. Harris is a narcissist that wants to convince his children that their mommy (Ms. Figueroa) is
14 a bad person who put their daddy in jail. When the facts are, that Mr. Harris put HIMSELF in jail
15 by starting to violate Ms. Figueroa's daughter repeatedly at just 12 years old (not including the
16 time he groomed her before that).

17 As for Mr. Harris' statement that he “...has tirelessly continued to fight this case from day one. A
18 lot of times sacrificing sleep or forms of relaxation, trading for time in the law library reading
19 literally hundreds of cases, case law, and statutes. This in addition to the hundreds of hours
20 reading them and preparing answers or motions and defending his parental rights.” Claiming
21 that “It's highly unlikely the plaintiff can say the same.” is laughable. While Mr. Harris is
22 incarcerated, he has nothing but time to do the aforementioned. While Ms. Figueroa is a single
23 mother, raising four children, ages 10-15, who are in school, while working a forty (plus) hour a
24 week - full time job to support her family. What little free time Ms. Figueroa does have, she

1 enjoys spending time doing activities with her children. For Mr. Harris to claim that Ms.
2 Figueroa is not dedicated to her children because she cannot research case law to quote in order
3 to prove that it is in the best interest of the children for her to have full custody of her children is
4 ridiculous.

5 Mr. Harris is trying to use Ms. Figueroa's past health issues as another reason to have joint
6 custody, using the fact that she had a stroke in June 2021. While Ms. Figueroa did indeed have a
7 MILD stroke in June of 2021, she is consistently monitoring her health, sees her doctor and has
8 bloodwork every six months. Ms. Figueroa's health is better than it has ever been and while Mr.
9 Harris would like to convince the court that Ms. Figueroa's health is deteriorating, she would not
10 be able to drive, or work a full-time job, let alone file all these briefs in response to Mr. Harris'
11 ridiculous claims, if she was in such poor health from her stroke.

12 Mr. Harris wants this court to believe that Ms. Figueroa had a custody case in Tennessee when
13 this is false. Ms. Figueroa had filed for divorce in Tennessee BEFORE she found out about Mr.
14 Harris' crimes. It was never in court as Mr. Harris was arrested shortly thereafter and then Ms.
15 Figueroa had to relocate to Nevada to be with family for support. Ms. Figueroa filed for a
16 withdrawal with regards to the divorce as she no longer resided in the state of Tennessee and
17 would not be able to appear in court. Yes, originally Ms. Figueroa did apply for joint custody
18 with Mr. Harris, but this was BEFORE she knew exactly what Mr. Harris was doing to her
19 daughter(s).

20 The defendant in this case wants to paint a bad picture of Ms. Figueroa in order to defend his bad
21 behavior. It does not make any sense that Mr. Harris feels the need to bring up a relationship that
22 Ms. Figueroa had in 1993 when Ms. Figueroa was seventeen years old. Ms. Figueroa was in a
23 relationship for a year with someone that was twenty three. Mr. Harris also brings to the record a
24 relationship Ms. Figueroa had with another boyfriend named Dan Root and a picture that he took

1 of her topless at nineteen (he said sixteen but Mr. Root did not live in her area when they were
2 sixteen). These were private things that Ms. Figueroa wrote about in her teenage journals that
3 Mr. Harris went through during their relationship. This has no bearing in the person Ms.
4 Figueroa is today, as a 45 year old mother of 6. If custody cases were solely based on dumb
5 decisions that teenagers made 30 years ago, then a lot of people would have their kids taken
6 away.

7 Mr. Harris is very good in twisting the facts. Yes, Ms. Figueroa did find a few nude photos of her
8 daughters on a camera, but when Mr. Harris was questioned by Ms. Figueroa, he stated that the
9 girls (Ms. Figueroa's daughters Rebecca and Sara Fix) wanted pictures for their boyfriends.
10 When Ms. Figueroa questioned the girls, they said the same thing Mr. Harris stated. Mr. Harris
11 then forcibly took the camera from Ms. Figueroa and deleted the photos. Ms. Figueroa also
12 found out after he was arrested, that Mr. Harris was threatening the (Fix) girls and told them to
13 lie or else. Mr. Harris claims that if Ms. Figueroa believed that he took the photos, why didn't
14 Ms. Figueroa call the police? Ms. Figueroa knew that she had no evidence and that Mr. Harris
15 was someone that was very good at manipulating people and the system. Mr. Harris always
16 bragged to Ms. Figueroa that his dad was the chief of police and knew so much about the system.
17 It was at that time that Ms. Figueroa began looking for evidence that there may be inappropriate
18 relations, never imagining what she would later find in August of 2016. Mr. Harris then
19 continues by writing about alleged sexual relationships Ms. Figueroa's oldest daughter Rebecca
20 had while she was a teenager, claiming that Ms. Figueroa did not care. Ms. Figueroa had no
21 knowledge about these alleged sexual relationships at that time, and cannot understand why Mr.
22 Harris would have this alleged information. It seems odd that the stepfather (who later is
23 convicted as a sex offender) has knowledge of the alleged sexual activity of his stepdaughter
24 Rebecca Fix.

1 Mr. Harris would like the court to believe that Ms. Figueroa had knowledge of an improper
2 relationship between Mr. Harris and her daughter (his victim) Sara Fix, but that is not the case.
3 Yes, Ms. Figueroa did find a solo video of her daughter that Mr. Harris was not in. Ms. Figueroa
4 asked her daughter about it, and she would not say why she did it. Ms. Figueroa was very
5 familiar with Mr. Harris' various sexual turn-ons, one of them being videos of solo masturbation.
6 When confronted, Mr. Harris adamantly claimed that he did not ask her to do that. Ms.
7 Figueroa's daughter Sara Fix also said it was not for him, even though the camera belonged to
8 Mr. Harris. After Mr. Harris was arrested, his victim Sara Fix stated that Mr. Harris would
9 constantly make her feel guilty and tell her that she could not tell anyone about what he was
10 doing, especially her mom (Ms. Figueroa) as if she did, that Ms. Figueroa would put him in jail
11 and the kids would grow up without a dad.

12 If Ms. Figueroa was, as he claims, extorting Mr. Harris, and had prior knowledge of everything
13 that was occurring with Mr. Harris and Ms. Fix, then why did he not give all this "evidence" to
14 the District Attorney when he was being prosecuted? The only two instances that Ms. Figueroa
15 can agree with, and had discussed openly with investigators were the few naked pictures found
16 of her daughters on Mr. Harris' camera that Mr. Harris immediately erased, and one solo
17 masturbation video of her daughter that the defendant was not in. Ms. Figueroa had her
18 suspicions, but had no evidence and could not prove that he was doing something terrible. Mr.
19 Harris was always reminding Ms. Figueroa of how smart he was, how his father was chief of
20 police and to never be on his bad side, because he knew how to make it worse for the other
21 person.

22 Mr. Harris makes false claims that Ms. Figucroa signed her daughter (Sara Fix) up for
23 Homeschool so he could be alone with her all day. This is false. When Ms. Sara Fix was entering
24 7th grade, the family had moved which caused Ms. Sara Fix to have to start 7th grade in a new
25

1 school. Ms. Sara Fix had a hard time adjusting and had asked to possibly be in homeschool. It
2 was not until after Mr. Harris' arrest that Ms. Figueroa found out that Mr. Harris took advantage
3 of Ms. Sara Fix and this difficult time in middle school and exploited her situation, thus far
4 convincing Ms. Sara Fix into doing homeschool. Ms. Figueroa would have never put her
5 daughter in this situation if she had known what was happening. Ms. Sara Fix is on the witness
6 list and can attest to this fact as well.

7 In the defendant's brief, he claims that there is a picture that detectives found with Ms. Figueroa's
8 oldest daughter Rebecca Fix with Mr. Harris naked standing side by side from 2013 (which by
9 the way would make Rebecca Fix only 15 years old), claiming that Ms. Figueroa took the picture
10 because Mr. Harris was IN the picture, and Ms. Figueroa's desire to be a nudist family. This
11 allegation is a pure lie, and Rebecca Fix is on the witness list to confirm that these are lies. Mr.
12 Harris used tripods and different equipment to take pictures and videos that he was in with his
13 victim(s). I pluralize the word victim because although Mr. Harris was never charged with sexual
14 abuse against Ms. Figueroa's oldest daughter Rebecca Fix, there were photos found showing that
15 he did take naked photos of her as well. Mr. Harris wants to paint the picture for the court that
16 Ms. Figueroa was a willing participant in her daughter(s) abuse, and this is totally false. The
17 police and the D.A. would have charged Ms. Figueroa if they were to believe that there was any
18 involvement by the plaintiff. Of the over three thousand pictures and videos that the police
19 found, Ms. Figueroa is not in one photo or video with her daughters being sexually abused.
20 There is not one time that you see or hear Ms. Figueroa in any of the evidence found by police.
21 Why? Because there isn't any. The plain simple facts are that Mr. Harris wants to lessen his
22 crimes by trying to make it look as if Ms. Figueroa was a willing participant in his crimes, which
23 is absolutely false. Mr. Harris continues his lies throughout the brief stating that Ms. Figueroa
24 was extorting money from him and his celebrity friends, something that Ms. Figueroa has never

1 done. Mr. Harris is filling this brief with lies for one reason and one reason only. He wants it
2 public, and he knows that divorce cases are public record. Mr. Harris used to have a huge
3 following on social media and when Ms. Figueroa found out about what he had been doing, she
4 had him arrested, and she blasted him publicly on social media. Ms. Figueroa publicly
5 humiliated Mr. Harris and he is looking for a way to get all his lies about her on public record, so
6 he can try to defame her name. This shows that Mr. Harris does not have any care about how his
7 lies can affect his children. Due to his lies throughout this case, Ms. Figueroa will be filing a
8 motion to ask the court to seal the records of this case. Ms. Figueroa wants to protect her children
9 and family from these heinous lies, especially trying to accuse her of being a part of his crimes.
10 Ms. Figueroa's attacks on Mr. Harris on social media were in 2016 when she first found out
11 everything Mr. Harris had done to her daughters. Ms. Figueroa was understandably upset, and
12 once she got her composure, she stopped posting about Mr. Harris and deleted her comments on
13 social media. Ms. Figueroa does not talk about Mr. Harris to their children, or anyone for that
14 matter and they don't discuss why he is in prison. Ms. Figueroa knows that eventually they will
15 google their dad, and find out who he is and what he has done. Unfortunately, that is the nature
16 of public records and the internet.

17 The fact that Mr. Harris is a sex offender (regardless if his victim is his blood or not, [Mr. Harris
18 likes to argue that because his victim was not his blood, he should still have rights to his blood
19 children]), Mr. Harris plead guilty, and he is incarcerated for the next 24 years. Mr. Harris has to
20 register as a violent sex offender, when he is released and he continues to take no accountability
21 for what he has done. Therefore, Mr. Harris should NOT have any rights to his children or be
22 allowed to be around ANY children ever.

1
2
3
4 DATED this 25 day of May, 2022.

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

7  (signature)

8 Jenniffer Figueroa

3874 Calle De Este

Las Vegas, NV 89121

702-412-2617

Jennfig1976@gmail.com

9
10 ☒ Plaintiff / ☐ Defendant, In Proper Person

1
2 **CERTIFICATE OF MAILING**

3 I HEREBY CERTIFY that on the 25th day of May, 2022, I placed a true and correct
4 copy of the foregoing BRIEFING in the United States Mail, with first-class postage prepaid,
5 addressed to the following:

6 Ronald David Harris #584414
7 NECX PO Box 5000
Mountain City, TN 37683

8 DATED this 25th day of May, 2022.

9
10 Pursuant to NRS 53.045, I declare under penalty of
perjury that the foregoing is true and correct.

11 Jenniffer Figueroa (signature)
12 Jenniffer Figueroa



WTLT

Name: Jennifer Figueroa

Address: 3874 Calle de Este

Las Vegas, NV 89121

Telephone: 702-412-2617

Email Address: jennfig1976@gmail.com

In Proper Person

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Jennifer Figueroa

Plaintiff,

vs.

Ronald Harris

Defendant.

CASE NO.: D-20-606828-C

DEPT: N

Date of Hearing: May 31, 2022

Time of Hearing: 3:00pm

LIST OF WITNESSES

(☒ check one) ☒ Plaintiff / ☐ Defendant (your name) Jennifer Figueroa

intends to call the following witnesses at trial:

1. Name of Witness: Rebecca Fix

Address and Phone Number: Las Vegas, NV - (702) 510-1770

Expected Testimony: Testify to Mr. Harris' threatening demeanor, and to testify about her experiences with Mr. Harris and challenge his lies about her mother.

2. Name of Witness: Sara Fix

Address and Phone Number: Las Vegas, NV - (615) 605-3748

Expected Testimony: Testify to Mr. Harris' threatening demeanor, and to testify about her experiences with Mr. Harris and challenge his lies about her mother.

3. Name of Witness: N/A
Address and Phone Number: _____
Expected Testimony: _____

4. Name of Witness: N/A
Address and Phone Number: _____
Expected Testimony: _____

5. Name of Witness: N/A
Address and Phone Number: _____
Expected Testimony: _____

6. Name of Witness: N/A
Address and Phone Number: _____
Expected Testimony: _____

DATED (month) May (day) 25, 2022.

Submitted By: (your signature) /s/ Jenniffer Figueroa
(print your name) Jenniffer Figueroa

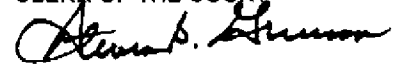
CERTIFICATE OF MAILING

I, (your name) Jennifer Figueroa declare under penalty of perjury under the law of the State of Nevada that on (month) May (day) 25, 2022, I served this **List of Witnesses** by depositing a copy in the U.S. Mail in the State of Nevada, postage prepaid, addressed to:

Name of Person Served: Ronald David Harris #584414
Address: NECX PO BOX 5000
City, State, Zip Mountain City, TN 37683

DATED (month) May (day) 25th, 2022.

Submitted By: (Your signature) ▶ /s/ Jennifer Figueroa



XPAO
Your Name: Jennifer Figueroa
Address: 3874 Calle De Este
Las Vegas, NV 89121
Telephone: 702-412-2617
Email Address: jennfig1976@gmail.com

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Jennifer Figueroa
Plaintiff,
vs.
Ronald David Harris
Defendant.

CASE NO.: D-20-606828-C
DEPT: N

EX PARTE APPLICATION TO SEAL FILE

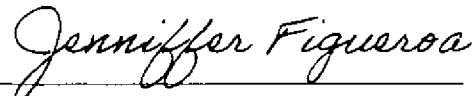
(Your name) Jennifer Figueroa, the (☒ check one) ☒ Plaintiff
/ ☐ Defendant, requests this Court to order the file in the above entitled matter be sealed to the
extent allowed by law pursuant to NRS 125.110.

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

DATED May 25th, 2022.

Submitted By: (your signature) Is/

(print your name) Jennifer Figueroa



Heather L. Harter
CLERK OF THE COURT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

* * *

Jenniffer Figueroa, Plaintiff.

Case No: D-20-606828-C

vs.

Department N

Ronald David Harris, Defendant.

MINUTE ORDER

NRCP 1 states that the procedure in district courts “**should** be construed, administered, and employed by the Court and the parties to secure the just, *speedy, and inexpensive determinations in every action and proceeding.*”

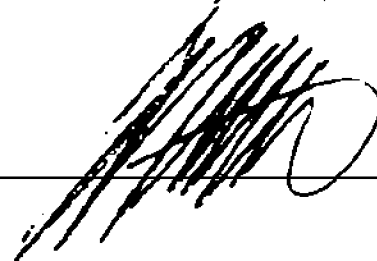
Based off the testimony at the May 31, 2022 hearing, this Court set a Status Check hearing on June 09, 2022 to view whether Defendant filed a Writ. This Court noticed that Defendant still has additional time to file the Writ as Chief Judge Bell’s Decision and Order was issued May 13, 2022; therefore, the Status Check hearing is hereby CONTINUED until June 23, 2022 at 11:00am. This Court NOTES that the Court of Appeals electronic filing system does not indicate Defendant has filed a Writ yet.

SO ORDERED.

HONORABLE MATHEW P. HARTER

Dated this 8th day of June, 2022

MEF



**E79 C1F 95E4 00A7
Mathew Harter
District Court Judge**

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CERTIFICATE OF SERVICE

I hereby certify that on the above file stamped date I submitted this Order so that each party will be either electronically served, emailed, or mailed a copy of this Order. I hereby further certify that Warden Jerry Gentry and Officer Michael Moody of the Tennessee Department of Corrections have been electronically served with a copy of this Minute Order to effectuate service upon Defendant.

/s/ Mark Fernandez

Mark Fernandez
Judicial Executive Assistant
Department N

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Jenniffer Figueroa, Plaintiff.

CASE NO: D-20-606828-C

7 vs.

DEPT. NO. Department N

8 Ronald David Harris, Defendant.
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 6/8/2022

15 Jenniffer Figueroa

jennfig1976@gmail.com

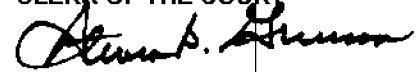
16
17 If indicated below, a copy of the above mentioned filings were also served by mail
18 via United States Postal Service, postage prepaid, to the parties listed below at their last
known addresses on 6/9/2022

19 Ronald Harris

NECX PO BOX 5000

#584414

Mountain City, TN, 37683
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CNND

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Jenniffer Figueroa, Plaintiff.

D-20-606828-C

vs.

Department N

Ronald David Harris, Defendant.

CLERK'S NOTICE OF NONCONFORMING DOCUMENT

Pursuant to Rule 8(b)(2) of the Nevada Electronic Filing and Conversion Rules, notice is hereby provided that the following electronically filed document does not conform to the applicable filing requirements:

Title of Nonconforming Document:	<u>Motion to Seal</u>
Party Submitting Document for Filing:	<u>Jennifer Figueroa</u>
Date and Time Submitted for Electronic Filing:	<u>05/25/2022 at 10:08am</u>

Reason for Nonconformity Determination:

- ☐ The document filed to commence an action is not a complaint, petition, application, or other document that initiates a civil action. *See* Rule 3 of the Nevada Rules of Civil Procedure. In accordance with Administrative Order 19-5, the submitted document is stricken from the record, this case has been closed and designated as filed in error, and any submitted filing fee has been returned to the filing party.
- ☐ The document initiated a new civil action and a cover sheet was not submitted as required by NRS 3.275.
- ☐ The document was not signed by the submitting party or counsel for said party.
- ☒ The document filed was a court order that did not contain the signature of a judicial officer. In accordance with Administrative Order 19-5, the submitted order has been furnished to the department to which this case is assigned.

☐ Motion does not have a hearing designation per Rule 2.20(b). Motions must include designation “Hearing Requested” or “Hearing Not Requested” in the caption of the first page directly below the Case and Department Number.

Pursuant to Rule 8(b)(2) of the Nevada Electronic Filing and Conversion Rules, a nonconforming document may be cured by submitting a conforming document. All documents submitted for this purpose must use filing code “**Conforming Filing – CONFILE.**” Court filing fees will not be assessed for submitting the conforming document. Processing and convenience fees may still apply.

Dated this: 9th day of June, 2022

By: /s/ Mimi Fumo
Deputy District Court Clerk

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By: /s/ Mimi Fumo
Deputy District Court Clerk

Matthew Harter
CLERK OF THE COURT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

* * *

Jenniffer Figueroa, Plaintiff.

Case No: D-20-606828-C

vs.

Department N

Ronald David Harris, Defendant.

MINUTE ORDER

NRCP 1 states that the procedure in district courts “**should**” be construed, administered, and employed by the Court and the parties to secure the just, *speedy, and inexpensive determinations in every action and proceeding.*”

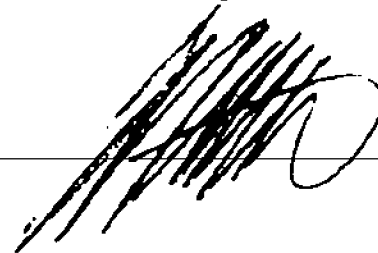
On May 25, 2022 Plaintiff filed her Ex Parte Motion to Seal File (“Motion”) pursuant to NRS 125.110(2). However, NRS 125 only governs dissolution of marriage actions, not custody actions. Upon this Court’s review, Plaintiff’s Motion is DENIED because NRS 125.110 does not govern custody actions.

Plaintiff can file an Amended Ex Parte Motion to Seal File under Supreme Court Rule (“SCR”) Part VII. If Plaintiff proceeds under SCR Part VII, all portions of the rule must be followed and addressed and then Plaintiff can submit her Order Sealing File under SCR Part VII for consideration.

IT IS SO ORDERED.

HONORABLE MATHEW P. HARTER

Dated this 11th day of June, 2022



**D8B 3A0 6C9E 3A09
Mathew Harter
District Court Judge**

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CERTIFICATE OF SERVICE

I hereby certify that on the above file stamped date I submitted this Order so that each party will be either electronically served, emailed, or mailed a copy of this Order.

/s/ Mark Fernandez
Mark Fernandez
Judicial Executive Assistant
Department N

1 **CSERV**

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

5
6 **Jenniffer Figueroa, Plaintiff.**

CASE NO: D-20-606828-C

7 **vs.**

DEPT. NO. Department N

8 **Ronald David Harris, Defendant.**

9
10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 **Service Date: 6/11/2022**

15 **Jenniffer Figueroa**

jennfig1976@gmail.com

16
17 If indicated below, a copy of the above mentioned filings were also served by mail
18 via United States Postal Service, postage prepaid, to the parties listed below at their last
19 known addresses on 6/13/2022

20 **Ronald Harris**

NECX PO BOX 5000

#584414

Mountain City, TN, 37683

Matthew Harter
CLERK OF THE COURT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

* * *

Jenniffer Figueroa, Plaintiff.

Case No: D-20-606828-C

vs.

Department N

Ronald David Harris, Defendant.

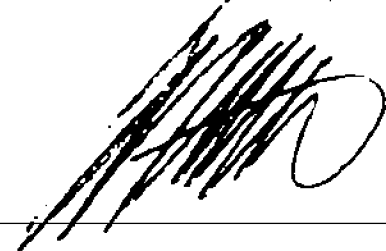
NOTICE OF EVIDENTIARY HEARING

This matter was originally set for an evidentiary hearing on 05/31/2022. At that time, Defendant asked for a continuance indicating he had filed a Writ based on Judge Bell's denial for disqualification filed 05/13/2022. Apprehensively, this Court granted Defendant's request. The matter was set for a status check hearing today and only Plaintiff appeared. To date, no Writ is being shown as filed. This Court will not comment on the time requirements at this juncture regarding the Writ. In *Debiparshad, M.D. v. Dist. Ct. (Landess)*, 137 Nev. ___, 499 P.3d 597 (2021), the Court concluded that "once a party files a motion to disqualify a judge pursuant to the Nevada Code of Judicial Conduct, that judge can take no further action in the case until the motion to disqualify is resolved." Again, that part is done as Chief Judge Bell has made her decision. "When a Writ petition is filed, the court retains jurisdiction over the order challenged therein during the pendency of the Writ petition." *Pengilly v. Rancho Santa Fe Homeowners Ass'n*, 116 Nev. 646, 650, 5 P.3d 569 (2000). Accordingly, regardless of whether Defendant files a writ between now and the hearing date below, the matter will be going forward. All of the provisions of the prior Amended Notice of Evidentiary Hearing filed 05/13/2022 are still in effect. The primary purpose of this Notice is to inform the parties of the new date and time for the evidentiary hearing, which will be held by audio/visual means July 28, 2022 from 10:00 a.m to 12:00 p.m. PST.

HONORABLE MATHEW P. HARTER

Dated this 23rd day of June, 2022

MEF



**98B D51 D007 CADC
Mathew Harter
District Court Judge**

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Jenniffer Figueroa, Plaintiff.

CASE NO: D-20-606828-C

7 vs.

DEPT. NO. Department N

8 Ronald David Harris, Defendant.
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 6/23/2022

15 Jenniffer Figueroa

jennfig1976@gmail.com

16
17 If indicated below, a copy of the above mentioned filings were also served by mail
18 via United States Postal Service, postage prepaid, to the parties listed below at their last
known addresses on 6/24/2022

19 Ronald Harris

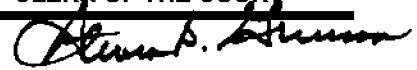
NECX PO BOX 5000

20 #584414

21 Mountain City, TN, 37683
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Fernandez, Mark

To: Michael V. Moody
Subject: RE: Ronald Harris #584414 (Case D-20-606828-C)



From: Michael V. Moody [<mailto:Michael.V.Moody@tn.gov>]
Sent: Friday, June 24, 2022 7:34 AM
To: Fernandez, Mark
Cc: Jerry W. Gentry; Kimberly Gentry
Subject: RE: Ronald Harris #584414 (Case D-20-606828-C)

[NOTICE: This message originated outside of Eighth Judicial District Court -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Mr. Fernandez,

Ronald Harris #584414 has been given the paperwork you sent. [ADDITIONAL TEXT REDACTED AS EX PARTE COMMUNICATION]

Thank You,

CC3 Moody- NECX

From: Fernandez, Mark <fernandezm@clarkcountycourts.us>
Sent: Thursday, June 23, 2022 7:52 PM
To: Jerry W. Gentry <Jerry.W.Gentry@tn.gov>
Cc: Michael V. Moody <Michael.V.Moody@tn.gov>
Subject: [EXTERNAL] Ronald Harris #584414 (Case D-20-606828-C)

*** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. ***

Good afternoon Warden Gentry!

Attached is Ronald Harris' new Notice of Evidentiary Hearing we issued today. Would you please provide an email response once Mr. Harris has been served with this new notice?

Thanks again for all your assistance! Hope all is well.

Sincerely,

Mark Fernandez | Judicial Executive Assistant



FERNANDEZM@CLARKCOUNTYCOURTS.US

Heather S. Harter
CLERK OF THE COURT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

* * *

Jenniffer Figueroa, Plaintiff.

Case No: D-20-606828-C

vs.

Department N

Ronald David Harris, Defendant.

**AMENDED
NOTICE OF EVIDENTIARY HEARING**

This matter was originally set for an evidentiary hearing on 05/31/2022. At that time, Defendant asked for a continuance indicating he had filed a Writ based on Judge Bell's denial for disqualification filed 05/13/2022. Apprehensively, this Court granted Defendant's request. The matter was set for a status check hearing today and only Plaintiff appeared. To date, no Writ is being shown as filed. This Court will not comment on the time requirements at this juncture regarding the Writ. In *Debiparshad, M.D. v. Dist. Ct. (Landess)*, 137 Nev. ___, 499 P.3d 597 (2021), the Court concluded that "once a party files a motion to disqualify a judge pursuant to the Nevada Code of Judicial Conduct, that judge can take no further action in the case until the motion to disqualify is resolved." Again, that part is done as Chief Judge Bell has made her decision. "When a Writ petition is filed, the court retains jurisdiction over the order challenged therein during the pendency of the Writ petition." *Pengilly v. Rancho Santa Fe Homeowners Ass'n*, 116 Nev. 646, 650, 5 P.3d 569 (2000). Accordingly, regardless of whether Defendant files a writ between now and the hearing date below, the matter will be going forward. All of the provisions of the prior Amended Notice of Evidentiary Hearing filed 05/13/2022 are still in effect. The primary purpose of this Notice is to inform the parties of the new date and time for the evidentiary hearing, which will be held by audio/visual means July 28, 2022 from ~~10:00 a.m. to 12:00 p.m.~~ ^{11:00am to 1:00pm} PST.

HONORABLE MATHEW P. HARTER

Dated this 29th day of June, 2022

MEF


588 E98 84FA B090
Mathew Harter
District Court Judge

1 **CSERV**

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

5
6 **Jenniffer Figueroa, Plaintiff.**

CASE NO: D-20-606828-C

7 **vs.**

DEPT. NO. Department N

8 **Ronald David Harris, Defendant.**

9
10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 **Service Date: 6/29/2022**

15 **Jenniffer Figueroa**

jennfig1976@gmail.com

16
17 If indicated below, a copy of the above mentioned filings were also served by mail
18 via United States Postal Service, postage prepaid, to the parties listed below at their last
known addresses on 6/30/2022

19 **Ronald Harris**

NECX PO BOX 5000

#584414

Mountain City, TN, 37683

EXHS
Name: RONALD HARRIS, #584414
Address: NECX PO BOX 5000
MOUNTAIN CITY, TN. 37683-5000
Telephone:
Email Address:
In Proper Person

Electronically Filed
07/14/2022


CLERK OF THE COURT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

JENNIFER FIGUEROA
Plaintiff,
vs.
RONALD DAVID HARRIS
Defendant.

CASE NO.: D-20-606828-C
DEPT: N
DATE OF HEARING: 5-31-22
TIME OF HEARING: 3 PM

EXHIBIT APPENDIX

(your name) RONALD DAVID HARRIS, the (check one ☒) Plaintiff
☒ Defendant submits the following exhibits in support of my (title of motion / opposition you
filed that these exhibits support) MY DEFENSE IN THIS HEARING. I understand that
these are not considered substantive evidence in my case until formally admitted into evidence.


Table of Contents:

1. LAVERGNE POLICE REPORTS FROM DETECTIVE
2. TRANSCRIPTS UNDER OATH
3. TENNESSEE DIVORCE COMPLAINT FROM JULY 2016
4. GO FUND ME SOCIAL MEDIA POSTS FROM MS. FIGUEROA
5. 2016 TAX RETURN FILED BY MRS. HARRIS (FIGUEROA)
6. MR. HARRIS' RESPONSE TO MS. FIGUEROA'S EXHIBITS
7. PRINT OUT CHARITYBUZZ.COM FROM CHARITYBUZZ SHOWING \$20,000
8. LETTER FROM MS. FIGUEROA TO MR. HARRIS FROM JUNE 2018
9. LETTERS FROM JULIAN AND RIVER HARRIS TO MR. HARRIS JUNE 2018
10. PHOTOS OF MR. HARRIS WITH HIS CHILDREN SHOWING THEIR BOND

RECEIVED
JUL 05 2022
CLERK OF THE COURT

11. EXAMPLES OF MR. HARRIS' CHARITY EFFORTS FOR HIS SON (RIVER)
12. YOUTUBE VIDEO LINK TO MR. HARRIS' APPEARANCE ON "EXTRA" ABOUT RIVER
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____

DATED (month) MAY (day) 19, 2022.

Submitted By: (your signature) 

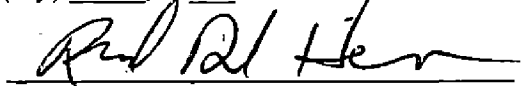
(print your name) RONALD DAVID HARRIS

CERTIFICATE OF MAILING

I, (your name) RONALD DAVID HARRIS declare under penalty of perjury under the law of the State of Nevada that on (month) MAY (day) 19, 2022 I served this *Exhibit Appendix* by depositing a copy in the U.S. Mail in the State of Nevada, postage prepaid, addressed to:

Name of Person Served:	<u>JENNIFFER FIGUEROA</u>
Address:	<u>3874 CALLE DE ESTE</u>
City, State, Zip	<u>LAS VEGAS, NV. 89121</u>

DATED (month) MAY (day) 19, 2022.

Submitted By: (your signature) 

RECEIVED

2022 MAY 19

445

EXHIBIT 1

Harris EXHIBIT 1

These are from the Detective who interviewed Ms. Figueroa (aka Mrs. Harris). One is an Activity Report and one is a probable cause for a warrant. Both documents include statements from Ms. Figueroa that she found nude photos of her minor daughters a few years prior to Mr. Harris' arrest. Not only does Ms. Figueroa do nothing about these alleged "found" sexually explicit photos, no law enforcement, no moving out, etc - but she claims Mr. Harris told her that her underage daughters wanted him to take these photos for their boyfriends. Not only is it absurd to even believe such a thing - Ms. Figueroa appears to have no issue, if true, with these photos going to boyfriends or even being produced. Probably because Ms. Figueroa has a history of making sex videos with her adult boyfriend when she herself was a minor. Mr. Harris denies taking these photos and saying such a ridiculous thing. If Ms. Figueroa stands by her statement let the record reflect she did nothing about it and alleged sexual exploitation continued to occur for years. Also, Ms. Figueroa was NEVER suspicious of Mr. Harris & her daughter. She knew how close they were. All of the 8 remaining children always saw Mr. Harris & her daughter hanging out, watching movies, running errands together. Some of Mr. Harris' kids were even jealous over it.

Activity Report

Case Number 16-024006	Date 8/22/2016	Time 11:28 a.m.
Title Agg. Sexual Exploitation of a Minor		Investigator M. Fracker
Activity		

1. On August 22, 2016 a Mrs. Jennifer Harris came to the La Vergne Police Department to report that her husband, Mr. Ronald D. Harris has been having a sexual relationship with her 15 year old daughter, Sara Fix.

2. Sara is Mrs. Harris' biological daughter and Mr. Harris' step-daughter.

3. Mrs. Harris stated that she has been suspicious of her husband and her daughter's relationship because they had become very close.

4. Mrs. Harris stated approximately two years ago, while living in Lebanon, Tn, she found a camera that had nude photos of her two juvenile daughters, Sara and Rebecca Fix. When she confronted Mr. Harris over these photos he told her that he took the photographs at the request of the daughters so they could send them to their boyfriends.

5. On August 21, 2016 Mrs. Harris stated she was doing laundry and went into her husband's room to put up some clothes. Mrs. Harris advised she and Mr. Harris are currently separated, but living in the same residence. While putting some clothes into Mr. Harris' dresser drawer she felt something hard in a pair of swimming trunks.

6. Mrs. Harris stated that she found an external hard drive in the pocket of the swimming trunks. Mrs. Harris took the hard drive out and accessed it from her computer. Mrs. Harris found numerous nude images of Sara. Mrs. Harris also found videos of Mr. Harris and Sara engaged in sexual activity.

7. Mrs. Harris copied some of the files from that hard drive onto her hard drive to bring in to the police to file a report.

8. Mrs. Harris provided the La Vergne Police Department with her hard drive and I was able to view its contents. I observed numerous nude pictures of a female, and videos of a male and female engaged in sexual intercourse. The female was identified as Sara Fix by her mother. The male was identified as Mr. Ronald D. Harris by Mrs. Harris, and by Mr. Harris' Tennessee driver license.

seizure and examination of electronic storage media for the aforesaid evidence. This examination will be conducted by computer evidence recovery specialists.

Statement of Facts In Support of Probable Cause

This affidavit is made by Detective Matt Fracker of the La Vergne Police Department, La Vergne, Tennessee. Your Affiant has worked in the field of law enforcement for approximately five (5) years and is currently assigned to the criminal investigations division. Your Affiant testifies that the information contained herein, unless otherwise stated, is based upon personal knowledge or information received from other law enforcement officers that your Affiant believes to be true.

1. On August 22, 2016 a Mrs. Jennifer Harris came to the La Vergne Police Department to report that her husband, Mr. Ronald D. Harris has been having a sexual relationship with her 15 year old daughter, Sara Fix.
2. Sara is Mrs. Harris' biological daughter and Mr. Harris' step-daughter.
3. Mrs. Harris stated that she has been suspicious of her husband and her daughter's relationship because they had become very close.
4. Mrs. Harris stated approximately two years ago, while living in Lebanon, Tn, she found a camera that had nude photos of her two juvenile daughters, Sara and Rebecca Fix. When she confronted Mr. Harris over these photos he told her that he took the photographs at the request of the daughters so they could send them to their boyfriends.
5. On August 21, 2016 Mrs. Harris stated she was doing laundry and ~~went into her husband's room~~ to put up some clothes. Mrs. Harris advised ~~she and Mr. Harris are currently separated~~ but living in the same residence. While putting some clothes into Mr. Harris' dresser drawer she felt something hard in a pair of swimming trunks.
6. Mrs. Harris stated that she found an external hard drive in the pocket of the swimming trunks. Mrs. Harris took the hard drive out and accessed it from her computer. Mrs. Harris found numerous nude images of Sara. Mrs. Harris also found videos of Mr. Harris and Sara engaged in sexual activity.

EXHIBIT 2

Harris EXHIBIT 2

These are court transcripts from Mr. Harris' Post Conviction Relief hearing. All witnesses were under oath. This includes Mr. Harris and Mr. Russell Nixon who was Mr. Harris' defense attorney in his criminal case. The following is a list of names of the parties on the record:

1. Colston - Darwin Colston - Mr. Harris' current PCR Atty.
2. Nixon - Russell Nixon - Mr. Harris' original trial lawyer
3. Harris - Mr. Harris
4. Reddick - Asst. D.A. Reddick

These transcripts are presented as an effort to show the family court that not only did Ms. Figueroa have years (plural) worth of knowledge that sex photos, videos, alleged sexual encounters were occurring between Mr. Harris and his step-daughter - she did nothing about it. No cops, no moving out, continued to live with Mr. Harris. Extorted Mr. Harris, stole and embezzled \$20,000 from their non-profit children's based charity.

See breakdown of pages 1-12

Breakdown Page 1 - Mr. Harris Knew for a 100% fact that Ms. Figueroa had at least one ^{alleged} sex video of her daughter and Mr. Harris saved on her laptop. He believed she had much more. Ms. Figueroa also had other so-called "dirt" on Mr. Harris on her laptop too. Ms. Figueroa would use this "dirt" and the sex video she claimed to have "found" in April 2016 (4 months before Mr. Harris' arrest) to extort Mr. Harris into doing things ~~for~~ her or to control him to do things her way. Including a threat to turn him in to the police if he tried to fight for custody of their 4 children or stop her from moving to Las Vegas with the kids. Mr. Nixon, Mr. Harris' trial lawyer, testified that early on he tried to report Ms. Figueroa's crimes, and her involvement and culpability in his case.

Breakdown Page 2 - Mr. Colston, Mr. Harris' PCR attorney, asked Atty Nixon if he remembered watching Ms. Figueroa's daughter's forensic interview with DCS and Police. He testified that he did. Mr. Nixon was then asked if the alleged victim in this case, Ms. Figueroa's daughter, told authorities and DCS that Ms. Figueroa knew that sexual contact, including videos, and other sex crimes were allegedly occurring but Ms. Figueroa was giving Mr. Harris a chance.

Mr. Nixon confirmed that he heard and saw Ms. Figueroa's daughter say, "yes," - Proof that Ms. Figueroa knew things were going on, did nothing about it, used this as leverage or control over Mr. Harris and was handing out "chances." Yet Ms. Figueroa wants to not let Mr. Harris have contact with his children.

Breakdown Page 3 - Mr. Harris testifies about Ms. Figueroa's extortion and using the alleged sexual relationship between her daughter and Mr. Harris to strong arm a move out of state with the kids. Mr. Harris was able to secretly record Ms. Figueroa in early April 2016 using the sex video she said she had "found" as leverage. This recording also proves that Ms. Figueroa had knowledge of this alleged crime, but that she had possessed child pornography and was using it to extort Mr. Harris. Mr. Harris told his trial lawyer, Mr. Nixon where the recording could be found. That recording and an email from Ms. Figueroa regarding a sex video, and her knowledge of it has been archived and secured. Time and date stamped.

Breakdown Pages 4-6 - More testimony from Mr. Harris about Ms. Figueroa's knowledge and lack of doing anything. Mr. Harris quotes the Detective's reports including an interview with Ms. Figueroa's oldest daughter who also confirmed that her mom had knowledge of photos (sexual) and alleged events occurring. Ms. Figueroa photographed her daughters and Mr. Harris side by side nude on a few occasions.

[Breakdown Pages 7-12 - Mr. Harris and the Asst. D.A. spare over Ms. Figueroa's crimes, her knowledge of crimes, failure to act, giving Mr. Harris chances, Ms. Figueroa's culpability, etc. Not once did the A.D.A. defend Ms. Figueroa. She didn't even want to address the issue, often trying to change the subject. The A.D.A. did not answer Mr. Harris' question about what kind of mother gives anyone a chance if sexual acts are occurring with their minor child. In fact, the A.D.A. tried to acknowledge Ms. Figueroa's crimes by diverting the attention and duty to another jurisdiction. A County that Ms. Figueroa also is guilty of crimes. Lastly on page 12 Mr. Harris confirms that Ms. Figueroa would control the content of Mr. Harris' letters in an effort to admit to crimes he didn't commit or he would not be allowed to speak to his 4 children.

1 exactly the wording.

2 Colston Q. All right. And, so, that Court -- that
3 order ordered that a mirror image of Ms. Harris's
4 computer be obtained by the State?

5 NIXON A. Correct.

6 Colston Q. Okay. And you had ample opportunity, as
7 you have described, to meet with Mr. Harris. Did
8 he -- what did he tell you that was so special
9 about that computer that he wanted you to get
10 ahold of it?

11 NIXON A. I don't remember the exact description, so
12 forgive if I don't use the same language he may
13 have used. But, essentially, I believe it was his
14 contention that the items or the files that were
15 discovered on the hard drive located in his top
16 drawer in his bedroom were put there via the use
17 of one of those devices that I subpoenaed.

18 Colston Q. Did he ever make any allegations to you
19 that Ms. Harris was involved in all this goings
20 on?

21 NIXON A. Yes. He made several allegations.

22 Colston Q. Okay. And was that one of the reasons
23 that he was adamant about getting a copy of her
24 computer?

25 NIXON A. Yes. I believe he thought that that would

1 Q. Okay.

2 NIXON A. I do, of course, remember the interview
3 with the alleged victim in this case.

4 Colston Q. Okay. And did you remember, she testified
5 that this had been going on for years, is that
6 correct?

7 NIXON A. Yes.

8 Colston Q. Okay. Even when the family lived in
9 Wilson County?

14:14:24 10 NIXON A. Yes.

11 Colston Q. All right. And do you remember saying --
12 or do you remember her testifying that mom had
13 known about this, but she was giving dad a chance,
14 do you remember that?

15 NIXON A. I do, yes.

16 Colston MR. COLSTON: Okay. So, that was in that
17 interview. Okay. That would be my questions,
18 Your Honor.

19 THE COURT: Questions on cross
20 examination.

21

22 CROSS EXAMINATION

23

24 QUESTIONS BY GENERAL REDDICK:

25

[illegible]

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MR. COLSTON: Your Honor, I have got a document from the discovery that I didn't realize we were going to need. I would like to make a copy of it. If I could get the court reporter -- I thought I had copies of everything we were going to need.

1 Fracker, Detective Fracker.

2 Colston Q. And on number -- Paragraph 4, to
3 paraphrase, does that state that your wife told
4 Detective Fracker that she had known about things
5 going -- improper things going on for
6 years?

7 Harris A. That is correct. She said
8 years ago while living in Lebanon, she found
9 some photos on a camera. Nude photos of her
10 daughters on a camera.

14:45:10

11 Colston Q. And, so, is that one of the things that
12 forms your basis of the Fourteenth Amendment
13 Violation?

14 Harris A. Yes. Because everyone wants to -- I think
15 Ms. Reddick and them, they want to say she wasn't
16 directly involved. I'm talking about her being
17 involved through conduct of another. 39-11-402.

18 Colston Q. Okay. And you understand that does not
19 lessen your culpability in this?

14:45:32

20 Harris A. No, it doesn't. But that's still
21 selective prosecution. The evidence was there to
22 charge her. And I'll explain more evidence. And
23 part of this is that evidence.

24 Q. Okay.

25 A. But it could have also -- as you and I had

1 THE COURT: That's fine.

2 THE WITNESS: That's all right.

3 MR. COLSTON: It is just the one. That's
4 may fault. Okay.

5 THE COURT: It will be marked as Exhibit
6 11.

7 THE CLERK: 10.

8 THE COURT: 10. Thank you. I'll have to
9 write that down now. Thank you.

10

11 (Exhibit No. 10 -- Report by Detective Fracker)

12

13 THE COURT: Your questions.

14 Q. BY MR. COLSTON: And the second one is
15 another activity report by Mr. Fracker, is that
16 correct?

17 *Harris* - A. Yes. It's about six weeks later. The one
18 that just went into evidence or as an exhibit,
19 ~~rather, was the day of my arrest. This is about~~

14:47:02 20 six weeks later, October 5th of 2016. They were
21 living in Las Vegas at this point.

22 *Colston* Q. And it just reiterated what was on the
23 other page, is that correct?

24 *Harris* A. Well, sort of. What happened here is
25 Detective Smith, who was here earlier, he

1 discovered what he thought was maybe another
2 victim, which would be Rebecca, the older sister.
3 So, he sent Detective Fracker a photo. And I
4 guess he sent it to my ex-wife, and she goes, yes,
5 that's Rebecca.

6 So, then Fracker -- Detective Fracker
7 called Rebecca for an interview and asked her
8 about these pictures. And he says -- this is a
9 direct quote from his report -- I asked Rebecca if
10 these were the photos that Ms. Harris had found a
11 couple of years ago on the camera, and she stated
12 that they were.

13 When Mr. Harris -- sorry -- when Ms.
14 Harris informed me at the beginning of this
15 investigation that she had found nude photos of
16 her daughters, she neglected to mention that Mr.
17 Harris was also nude in these photos.

18 He had found -- Detective Smith had found
19 a picture of Rebecca and I nude side-by-side. And
20 I'm in the picture. And I did not take that
21 picture.

22 So, once again, he confirms through
23 Rebecca that my wife had knowledge. And she left
24 out a key detail that I was nude in these pictures
25 with Rebecca.

CROSS EXAMINATION

QUESTIONS BY GENERAL REDDICK:

Q. BY GENERAL REDDICK: Mr. Harris, the report that you just testified about wherein Detective Fracker notes that years ago, while your family was living in Lebanon, Tennessee, she saw some pictures?

Harris A. Yes.

Reddick Q. Is it your testimony that that is the criminal offense that Ms. Harris should have been charged with, failing to report?

Harris A. It's more than failing to report. It's that she had a duty under Section 3 of 39-11-402 to stop the crime. She benefited from it as well. She benefited with having domain over me. She benefited by taking the \$20,000 embezzled from our children's charity.

Yes, she used that information for several years. There should have been no reason why I shouldn't have been arrested or kicked out of the house.

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Reddick Q. And you understand that failure to report child abuse, child sex abuse is a misdemeanor?

14:57:34 10

11

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14

Harris A. I know that's what you said in our meeting. You said it's an A Misdemeanor, and you said what's the big deal. I'm talking about conduct of another, having knowledge of a crime while it had been going on.

15

16

17

18

Reddick Q. Mr. Harris, I assume you are referring to our meeting that you requested where you requested a male D.A., and Mr. Westmoreland was also present?

19

14:57:50 20

21

22

23

Harris A. I only wanted -- first of all, I don't remember that it had to be a male. I just wanted to speak to someone other than you, because I thought you were protecting my ex-wife, yes. I am referring to that meeting.

24

25

Reddick Q. And do you remember being asked, either by myself or Mr. Westmoreland, what crime Ms. Harris

1 committed that you wanted prosecuted, and you told
2 us that she had failed to report when she learned
3 of it.

4 Harris A. I said, she had knowledge.

5
6 Reddick Q. And at that point, I think either I or Mr.
7 Westmoreland explained that failure to report is a
8 misdemeanor --

9 Harris A. That's not what I was saying though.

14:58:34 10 Reddick Q. -- with a statute of limitations of 11
11 months and 29 days?

12 Harris A. I was saying she was culpable. Yeah, you
13 did say that. I do remember that, Ms. Reddick.
14 But I was talking about her having knowledge for
15 years.

16 Look, in her interview, okay, that one of
17 the -- I guess Detective Fracker didn't remember
18 -- and that's why I'm glad those interviews are
19 now a part of the record. In that interview, she
14:58:56 20 said, I had been looking for that hard drive for
21 years. Okay. That means she's keeping me in the
22 house for years so she can find this hard drive?
23 She literally said that. So, it will be in that
24 statement in her interview.

25 And then my stepdaughter, Sarah, said

1 separately in her forensic interview that mom was
2 giving him a chance. Well, okay, that means she
3 also had knowledge. She's admitting her mother
4 had knowledge that stuff was going on. So, my
5 question would be, if I'm asking the question, is
6 what kind of mom gives someone a chance.

Reddick Q. You're really -- well, let me ask you this
question before we move on. You understand that
Lebanon, Tennessee is another jurisdiction, and
it's not Rutherford County? You understand that?

Harris A. Yeah, but the chance that she's giving me
apparently happened in Rutherford County.

Reddick Q. So --

Harris A. Plus she sent me an email in April of 2016
that says I found another video of you and Sarah.

[REDACTED]
[REDACTED]
[REDACTED]

That email

[REDACTED] exists in evidence. It can
be found on my laptop.

15:00:00

So, why does it take her four more months
to put me in prison or in jail?

I can go back. Look, Sarah's words -- in
her own words show that she had knowledge. Mom

1 was given him a chance. That means she knows
2 something sexual, crazy stuff is going on. And
3 then, you know -- and then I have been looking for
4 that hard drive for years. There's no way out of
5 conduct of another, period.

6 Reddick Q. I want to go back to your statement on
direct about your decision to waive the
preliminary hearing was that you were still trying
to protect your stepdaughter. What do you mean by
that, Mr. Harris?

13 Harris A. I mean that -- you know, and that's been
part of the reason for, you know, a lot of things.
You know, I cared about her. I still care about
her. You know, it's a big deal for someone to be
unclothed and seen and viewed by -- you know, I
didn't know -- I had never been in trouble before,
so, I didn't know what that process meant.

And I know when this case was going on, I
believe Russ and you and me and possibly even the
Judge here were worried about how we were going to
present that evidence, you know, videos or
whatever had we gone to trial. So, yeah, you know
-- but you have got to understand, my Public
Defender didn't even show up. So, this guy just
fills in.

1 don't deny it?

2 Harris A. Correct. But I would also stipulate,
3 those letters, a lot of them my wife made me write
4 or she would cut off contact with me and my
5 children. She -- I don't know what you guys -- in
6 my opinion, you had some -- you didn't have
7 evidence in Wilson County or something.

8 But there were certain things that she
9 would make me allude to in those letters, or I
10 would not talk to my children. And I don't
11 believe there's anything in there where I'm
12 admitting to you or your boss that I had sex with
13 her at age 12.

14 Reddick Q. Did you also file a petition for post
15 conviction relief in Wilson County?

16 Harris A. I did.

17 Reddick Q. On what basis?

18 Harris A. A lot of the same here. Ineffective
19 assistance of counsel, not having discovery. You
20 know, I think I'll do well on appeal if it's
21 denied.

22 Reddick Q. Has that been heard?

23 Harris A. It has.

24 Reddick Q. I assume it was denied?

25 Harris A. It was denied. But it's currently in

EXHIBIT 3

Harris EXHIBIT 3

This exhibit is the divorce paperwork filed by Ms. Figueroa in TN. As you can see she had plenty of chances to disparage Mr. Harris. Plenty of chances to accuse him of sex crimes. She had already allegedly found sexual pictures of her daughters years prior and supposedly "caught" Mr. Harris and his step-daughter acting "Weird" when she opened the bedroom door a year prior and she had sent Mr. Harris an email about "finding" a sex video time stamped in April 2016. The April 2016 recorded conversation about turning Mr. Harris ~~over~~ into the police (extortion attempt) existed too. Yet she mentions nothing. Never once claims Mr. Harris is a terrible father who should have no contact with his kids, etc. Yet ever since Mr. Harris mentioned that she needs to be brought to justice he's all of a sudden unfit and should not have rights or contact with his kids. She is certainly unfit herself and is in no position to cut contact off between Mr. Harris and his kids. Kids who are not a victim to any alleged crimes Mr. Harris may have committed with his step-daughter a non-blood relative. However Ms. Figueroa's alleged crimes were committed against her own flesh and blood. Her daughter is her victim.

Circuit

<u>Chancery</u> Court <u>Rutherford</u> County, Tennessee	COMPLAINT FOR DIVORCE	Case Number <u>71647</u>
<u>Jennifer Harris</u> vs. <u>Ronald David Harris</u> Plaintiff Defendant		FILED JUL 27 2016

1. WIFE

O'CLOCK M
 MELISSA HARRELL CLERK
mc
 DEPUTY CLERK

Full Name (First, Middle, MAIDEN, Last): Jennifer Figueroa Harris
 Mailing Address: 307 Clearlake Court La Vergne Tn 37086
 Length of Time Wife Has Lived in Tennessee: 5 Years
 Race or Color: Hispanic
 Date and Place of Birth: 06/07/1976 Santurce, Puerto Rico
 Number of Previous Marriages: 1
 Active Member of the Armed Services of the United States? ☐ Yes ☒ No
 Employer and Address: Unemployed

2. HUSBAND

Full Name (First, Middle, Last): Ronald David Harris
 Mailing Address: 307 Clearlake Court La Vergne Tn 37086
 Length of Time Husband Has Lived in Tennessee: 5 years
 Race or Color: Caucasian
 Date and Place of Birth: 02/25/1971 Glasgow Kentucky
 Number of Previous Marriages: 2
 Active Member of the Armed Services of the United States? ☐ Yes ☒ No
 Employer and Address: _____

3. THE MARRIAGE

Husband and wife were married on (date): 09/22/2007
 The place of the marriage (city or county plus state or country) was Los Angeles County, California
 Husband and wife separated on or about (date): October 1st 2015
 The last place husband and wife lived together was 307 Clearlake Court La Vergne Tn 37086
 (city or county plus state or country).
 The children of this marriage who are under age 18 or disabled and dependent on the parents are:

<i>Child's Full Name</i>	<i>Birth Date</i>
<u>Isabelle Grace Harris</u>	<u>02/25/2007</u>
<u>Reagan McCartney Harris & Julian David Harris</u>	<u>09/19/2009 (Twins)</u>
<u>River Harbaugh Harris</u>	<u>10/13/2011</u>

 The child or children presently reside with Both Parents
307 Clearlake Court La Vergne Tn 37086 (persons and address).

During the last five years, the child or children have resided with Both Parents
307 Clearlake Court La Vergne Tn 37086 (persons, addresses, and dates).

Could another court case affect custody of a child? ☐ Yes ☒ No (If yes, attach copy.)

Does one spouse have an Order of Protection against the other? ☐ Yes ☒ No (If yes, attach copy.)

The wife is ☐ pregnant ☒ not pregnant.

4. THE COURT

Specify one or more of the following:

This court has jurisdiction over the Defendant because:

- ☒ the Plaintiff or the Defendant resided in Tennessee for the six months before the filing of the Complaint.
- ☐ the grounds for the divorce occurred while the Plaintiff was a resident of Tennessee.

Specify one or more of the following:

The Plaintiff has filed the Complaint in this county because:

- ☒ the parties resided in this county at the time of their separation.
- ☐ the Defendant resides in this county.
- ☐ the Plaintiff resides in this county, and the Defendant is a nonresident of Tennessee or is incarcerated.

5. GROUNDS FOR DIVORCE

The husband and wife have irreconcilable differences or in the alternative the Defendant is guilty of inappropriate marital conduct toward the Plaintiff.

6. PROPERTY

Select one of the following:

- ☐ Husband and wife now own, either alone or together, property which should be divided by the court.
- ☐ The property of the parties has been divided by them. (Caution: The court may review the fairness of the division.)
- ☒ The parties have no property.

7. DEBTS

Select one of the following:

- ☐ Husband and wife now have, either alone or together, debts that should be divided by the court.
- ☒ The debts of the parties have been divided by them. (Caution: The court may review the fairness of the division.)
- ☐ The parties have no debts.

8. ALIMONY

COMPLAINT FOR DIVORCE

www.sclegal.org

PAGE 2

Select one of the following:

- ☒ Alimony is not requested.
☐ The Plaintiff needs alimony, and the Defendant has the ability to pay it.

9. RESTRAINING ORDERS AND INJUNCTIONS

Select one of the following:

- ☒ No restraining order or injunction is needed.
☐ A restraining order or injunction is needed because of the following behavior by Defendant:

Select one of the following:

- ☐ A Statutory Injunction against Both Parties will be in effect because irreconcilable differences are not the sole ground for the divorce. It is being filed with this Complaint.
☒ A Statutory Injunction against Both Parties will not be in effect because irreconcilable differences are the sole ground for the divorce.

10. OTHER MATTERS (State here any special circumstances.)

She says nothing at all.
Sex Crimes? Unfit parent? - Nothing at all.
Nude pics, Sex Videos? Nothing.

RELIEF REQUESTED

The Plaintiff requests that the court enter a Final Decree of Divorce and grant any other relief to which the Plaintiff may be entitled, including orders that will:

If a Marital Dissolution Agreement has been signed, select all that apply:

- ☒ Approve the Marital Dissolution Agreement between the parties.
☒ Approve the Permanent Parenting Plan.
☒ Divide the court costs as follows: ☒ equally ☐ husband only ☐ wife only
☐ Change the name of the _____ to _____

If a Marital Dissolution has not been signed, select all that apply:

- ☐ Issue service of process on the Defendant.
☐ Restrain or enjoin the Defendant because of the behavior described above. THIS IS THE FIRST REQUEST FOR EXTRAORDINARY RELIEF.
☐ Provide alimony for the Plaintiff temporarily and permanently.
☐ Approve the Plaintiff's Temporary and Permanent Parenting Plans, including child support.

- ☐ Divide fairly the property and debts of the parties.
- ☐ Change the name of the Plaintiff to _____
- ☐ Compel the Defendant to pay Plaintiff's attorney fees, other professional fees and costs.
- ☐ Make the Defendant pay the court costs.
- ☐ Other: nothing. Silence.

SIGNATURE AND VERIFICATION

I declare under penalty of perjury under the laws of the State of Tennessee that the facts stated in this Complaint are true to the best of my knowledge and belief for the causes mentioned in it. The Complaint is not made out of levity or in collusion with the Defendant.

Signed at UPS Store Smyrna on 7/25/2014
Place Date

Date _____

 Plaintiff's Signature

Your Address: 307 Clearlake Court La Vergne Tn 37086

Telephone: 615-926-9263 Fax: E-Mail: jennifer.harris1@gmail.com

STATE OF TENNESSEE
COUNTY OF Rutherford

Sworn to and subscribed before me this 25 day of July, 2016.

My commission expires: 5/19/19

Notary Public

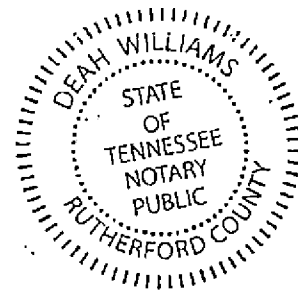


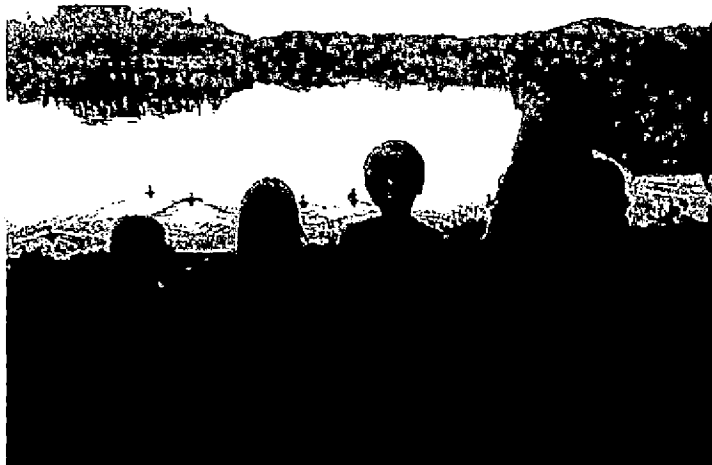
EXHIBIT 4

Harris exhibit 4

These are all pages from Ms. Figueroa's Go Fund Me scam. Not only did she choose to ruin Mr. Harris publicly, she also is exploiting the alleged crimes against her daughter for financial gain and sympathy. What kind of mother goes public like this, possibly scarring her daughter? It's all about money for Ms. Figueroa. Not only was Ms. Figueroa asking for money for plane tickets, moving trucks, gas and expenses - she did so while she already had the stolen \$20,000 that she embezzled from their children's charity non-profit organization. She certainly fails to mention that she already had \$20,000, stolen at that, but that also had years of knowledge of Mr. Harris' alleged crimes against her daughter. She also fails to mention that she's giving Mr. Harris "chances" or that she "found" a sex video months earlier or photos of her nude daughters years prior. This should say a lot about Ms. Figueroa. Lastly, as you can read she says many damaging things about Mr. Harris, including that she hates him and that he's a piece of shit. She also celebrates him going to prison and saying a life sentence is not long enough. This all was posted on social media and her Go Fund Me page is still up. It's

just an easy Google search away for Mr. Harris' Children. The things Ms. Figueroa said about their father, a lot untrue, will always exist for them to see. She is the person who is doing the damaging talk for Mr. Harris' children to see someday. If not already.

Keep in mind this is her story. Her version. Not all of her claims or accusations are true. She knew I would not have access to the internet or the ability to defend myself or debunk her. She took advantage of people's sympathy, etc. What kind of parent exploits a case like this publicly - for financial gain, etc.??



Starting Over - Time For Healing

I don't know where to begin. The news I am about to share with you, my family and friends, is quite upsetting and disturbing.

My family and I have had a tragic event happen to us, and there is no easy way to talk about it other than to just say it straight out honest.

On Monday 8/22/2016, I had to have Dave arrested for statutory rape.

On Sunday night, as I was putting laundry away in Dave's room I had found a hard drive that was hidden in his drawer in a pocket. On this hard drive, I found pictures and videos of different women that were sexually explicit, just stuff that was from the internet...

BUT... then I clicked on a folder that just changed our lives in my family forever.

Dave was arrested for statutory rape...but it gets worse...the girl in the videos and pictures on this particular folder were with my 15 year old daughter (his stepdaughter).

I am sick, heartbroken for her, and my children that I had with him, who now will not have contact with their father.

The day he was arrested, I did it while the kids were all at school. As much hate and disgust that I had for Dave, I knew that I did not want my children to see him be arrested. That meant that I had to pick

\$1,790 of \$1 goal

Raised by 17 people in 29 months

Recent Donations ▼



\$20

Marky Lennon
27 months ago

MR

\$25

Michele
Ruitenschild
27 months ago

Hi. I'm a friend of Amy's. I'm praying for you & your family! Hope..Faith ..Trust in GOD! Sending healing prayers your way... Love Michele

AM

\$150

Amy McCullough
27 months ago

Jenn-We pray for you and your beautiful family every day! I know you will fight your way through this. Please know how much we love and

arrested Dave and did the search warrant. We went to McDonald's and had sundaes, they played at the McDonald's land playground for over 2 hours, then we went to the library for 2.5 hours, went to the lake and saw the ducks, then got pizza, and the most heartbreaking part for me was when Reagan said, "Mommy, this was the best day EVER!" not knowing that it was one of the worse days of my life.

Now you're probably saying to yourselves, "No way, WTF, there is no way" but unfortunately, there were at least 2900+ videos and pictures that were sexually explicit with her, with them both etc... and that is not a typo either. 2900+ files. This does NOT include anything else they may find from the numerous other hard drives, laptops, and PCs that he had.

This week has been a nightmare, as I have had to put on a happy face for my younger kids that are 9, 6, 6, and 4. The younger 3 think daddy is doing a music project with a friend.

My 9 year old, now knows because unfortunately she was told by her friend that her mom saw 7 cop cars in front of our house and cops with their guns drawn. So, our 9 year daughter, that shares a birthday with her daddy Dave, knows that her daddy was arrested, (but not why of course) and no longer wants to celebrate her birthday until he is out. It breaks my heart.

I know this is shocking news that I am sure none of you expected to hear about.

Today is Day 5 and I feel like I am in a daze. I cannot stay still too long or in my thought too long as I break down from internalizing everything and cry to the point of getting sick.

He is in some serious trouble, looking at numerous charges and to be in prison for many years.

Now you may ask why I am sharing this with you? Well there are many reasons, but quite honestly, someone like him should NOT have anyone's praise or help no matter what he did for anyone. I feel it is an important thing to know about someone, who made himself out to be a better person than he really was. I also don't want him misleading anyone, or trying to get help, when he more than likely would not be honest about the situation he is in. Or if there was anyone else hurt or taken advantage by him, especially anyone who is under 18, contact me and I will give you the detectives information if you want to report it

support you! Amy, Kevin, Eamonn & Marley



\$200
Ronald Raines
28 months ago

DC

\$10
Donna Carrion
28 months ago



\$10
Jenny Dawes-Drone
28 months ago

MA

\$100
Maggie Ashworth
28 months ago

AA

\$100
Annie Aguiar
28 months ago

Prayers to you and your family

GC

\$5
g c
28 months ago

MF

\$20
Meagan Fletes
29 months ago

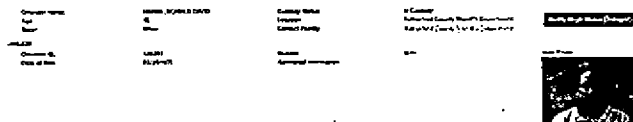
Viewing 10 of 17 Donations

Right now, my mom is here helping with the kids, and her plan is to move us (the kids and I) out to Las Vegas in the next month or so. I am still dealing with the kidney issue with the enlarged artery that I may need surgery for, my appointment with the vascular surgeon is 9/6, so if I need surgery, it only makes sense to do it here in TN. And thankful that my mom is here to help me.

So friends and family, I need your help. Anything that can be shared, good thoughts, prayers is greatly appreciated, as now comes the long journey of starting over, in a different state across the U.S. I am so grateful to have my family and friends that I will be with and closer to. I know that God is watching over my family and I. I know that things will only get better. God always has a plan. I will be in touch soon.

Thank you so much for the calls, texts, messages, emails and support. It means more than you know.
Love Jenn

<https://vinelink.com/#/home>
<https://vinelink.com/#/home>



Most Liked Comments ▼



Celeste Keenan
9 months ago

Also, people don't realize how their actions affect people?
Especially when kids are involved.



Celeste Keenan

Updates (7)

- **FEBRUARY 24, 2018** by Jenniffer Harris, Organizer

Hey Everyone!

GREAT NEWS! It is done! Dave has pled guilty in both counties and he has officially been transferred from Rutherford County Jail to TN Dept of Corrections.

He is **NOT** eligible for parole, thank you Lord!

And his date of release is in April of 2046!!! I am so thankful for everyone that has been there for my family and I.

I know that there is still a lot of healing, and questions for the kids, but I finally feel like I can get this behind us for good!!!

2018 is looking up! :)

- **AUGUST 2, 2017** by Jenniffer Harris, Organizer

Well, he decided he did not want to plea...so we go to Trial.

Sara, and I will have to go to TN Oct 2-5 for Trial.

I will update again after that.

Thank you to everyone for their constant support, love and prayers. It really means a lot.

- **JANUARY 26, 2017** by Jenniffer Harris, Organizer

Hi everyone,

I know I have not posted on here in a while, that is because people were getting this info back to Dave in jail, and the detective was worried about affecting his case, so I stopped posting anything.

But I figured I can share this news article that was sent to me, since it wasn't from me, and it is out in the public I guess. I googled his name in TN and I did not find any other news stories. Once everything is said and done I will be sure to update everyone! Thank you so much for your constant support!

<http://www.wgnsradio.com/45-year-old-man-accused-of-especially-aggravated-sexual-exploitation-of-a-minor-13-times-cms-37363>

Show older

- **SEPTEMBER 26, 2016** by Jenniffer Harris, Organizer

Well, the countdown begins...we are 10 days away from leaving TN and heading into Las Vegas.

We have reserved the Moving truck and trailer, and it's going to cost about \$2000 plus gas.

Luckily the kids are on Fall break during the move, so they technically will not be missing school.

There are no updates on Dave, other than the Grand Jury meets in or around November. Neither Sara nor I need to be there for that thankfully.

I wish I had more to update with, but unfortunately this process takes time.

Thank you all so much for your continued help, prayers and shares!

- **SEPTEMBER 12, 2016** by Jenniffer Harris, Organizer

Update: 9/12/2016

Today was Sara's 1st day of therapy. I am so glad that we were able to get her started right away. Even if they can only do a couple of sessions.

I was bummed out today because I received my strongly worded letter return to sender, and on the front, they wrote - NO LETTERS - ONLY POSTCARDS - Ok, no problem, I will gladly send 3 postcards with everything from my letter with the heinous crimes against her he did, for all to see!

I spoke with the Detective today, and he said they are still processing everything and as far as the charges go, he will be charged 1 charge PER picture and video!!! As I said, the drive I found had 2900+ on there, of her, him, and them together. So even if you rounded down, that would still be 2000 charges! Not to mention if they find anything else on his other drives and computers, as well as the charges from Wilson County since they will be charging him as well.

Apparently Dave had a court date today, but he waived it? Not sure what that means, other than the next court date will be with the Grand Jury, and he (the detective) stated that will not be for a few months. Even then, we will not have to be at the grand jury date because the Detective is the witness since he has seen the footage. We just want to be at his sentencing and hopefully be able to read a victims statement.

Last week was an emotional week for my stepdaughter as her friend found a newspaper called Cuffed that had many mug shots, one of which was of her dad Dave. She has a lot of anger, but also loves him because it is her dad. She had dealt with the fact that he wasn't a good dad to her, but was looking forward to starting over, and he had promised her that he wasn't going anywhere, Now that has changed with him in jail, and us moving to Las Vegas. I told her she can come visit as much as she wants.

I realized the other day that not everyone in my feed have seen my posts (thanks FB), so if at all possible, if this comes up on your newsfeed, I would totally appreciate it if you could share on your FB pages, and Twitter or even email it. We are looking to rent our truck/moving/container on 9/30/16 as well as having my car shipped. We also need to buy 7 plane tickets. And rent the storage in

Vegas while we live with my parents. So any shares, prayers, and/or even \$5 for helping my family and I would be GREATLY appreciated because my parents are on a fixed income.

Thank you all for your wonderful support!!!

Love Jenn

• **SEPTEMBER 8, 2016** by Jenniffer Harris, Organizer

UPDATE 9/8: I have not received any more phone calls or letters from Dave, which means he probably received my "strongly worded letter", that pretty much stated not to contact me anymore and some other choice words.

The youngest 3 kids still believe Dave is working somewhere else, and have not really been affected much, other than River asking for the occasional call to talk to daddy which breaks my heart. Isabelle is definitely starting to act out, and it is so hard to see how it is affecting her. Sara has been having her ups and downs, but is doing well and the therapist is on order.

Today we met with the Social Worker and found out that she and the Detective met with the District Attorney to go over both the DCS case and criminal case. Although she didn't know what additional charges he would receive, I feel good knowing that they are already meeting with the D.A.

The good news is that both DCS and the Detective stated they are both fine with us relocating to Vegas with my family so long as they have good contact information so when they do have a court date they can reach us. We may have to come back to TN for trial if he is foolish enough to do one, but as of now we can move! YAY! I don't feel in such limbo anymore.

Now the REAL planning begins, and I am looking to you my friends and family. We will be moving cross-country and are still in need of some help. Whether you can give monetarily or even just share our link would be amazing!

Again, so lucky to have you all being so supportive, and please know that I absolutely do not mind getting messages or texts, calls or emails, so please do not apologize or feel like you are bothering me. I appreciate it all. It just may take me a day or four (lol) to respond. Thank you!!!

Show older

AUGUST 31, 2016 by Jenniffer Harris, Organizer

I have been truly blessed with how many people have been so supportive and sending wonderful messages, texts and calls. I was very hesitant about sharing this story with everyone because I felt like I failed at protecting my daughter. But after talking to her about this, she wanted people to know. She was very adamant that people know what a piece of shit he is. And that she is a survivor.

EXHIBIT 5

Harris exhibit 5.

Lastly, this exhibit shows and proves that Ms. Figueroa stole (embezzled) the \$20,000 from our non-profit Children's charity. The name is "Your Dream Is Our Dream." What she did was claim the stolen \$20,000 as her pay. She only made \$3,250 from working at Target. She knew that \$3250 would NOT effectuate a refund, or generate a substantial refund. So she added this stolen \$20,000 to her \$3250 income from Target. When she did that and used all her deductions and claiming the kids it produced a fraudulent refund of \$6,357. A substantial sum. She did not "work" for our non-profit. If anyone did it was Mr. Harris. He secured the money to start the non-profit (via Ms. Figueroa's threats) and he obtained the auction item from Sir Paul McCartney himself. Not one dime of the stolen \$20,000 went to the non-profit. Ms. Figueroa spent that money on herself. She promptly purchased a brand new iPhone and other electronics for herself. All the while asking for money on Go Fund Me when she already had \$20,000 (stolen). She never once mentions the \$20,000 to anyone on social media.

**PLEADING
CONTINUES
IN NEXT
VOLUME**