

IN THE SUPREME COURT OF THE STATE OF NEVADA

KYMBERLIE JOY HURD,

Appellant,

vs.

MARIO OIPARI,

Respondent.

Supreme Court Case No. 85537

District Court Case No. D-21-62769-C

Electronically Filed
May 02 2023 11:40 AM
Elizabeth A. Brown
Clerk of Supreme Court

**RESPONDENT'S OPPOSITION TO APPELLANT'S MOTION FOR AN
ORDER TO SHOW CAUSE REGARDING CONTEMPT AND TO
ENFORCE CHILD VISITATION**

COMES NOW Respondent, MARIO OIPARI (hereinafter "Mario"), by and through his attorneys of record, Matthew H. Friedman, Esq., and Christopher B. Phillips, Esq. of the law firm Ford & Friedman who hereby submits the foregoing opposition to Appellant KYMBERLIE JOY HURD'S (hereinafter "Kymberlie") Motion for an Order to Show Cause Regarding Contempt and to Enforce Child Visitation.

This opposition is made pursuant to NRAP 27(a)(3) and is based on the following Points and Authorities and the exhibits attached hereto.

ARGUMENT

A. Kymberlie's Motion Seeks Remedy Outside the Purview of the Nevada Appellate Court

The Nevada Supreme Court and Court of Appeal has jurisdiction over **appeals** from all district courts in Nevada. Indeed, it is the responsibility of the Supreme

Court and/or Court of Appeals to determine if, in the issuance of a final order, the district court committed a legal error requiring redressor.

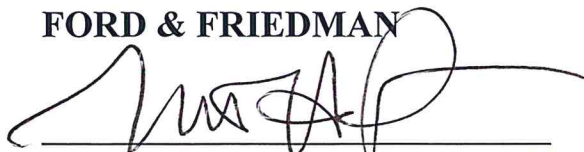
Given that Kymberlie's motion does not seek appellate relief the same has been improperly filed before this Court. To the extent that Kymberlie wishes to dismiss her appeal¹, she is welcome to seek the relief requested in her underlying motion directly from the district court. Unless and until the underlying appellate matter is resolved by this Court or, in the alternative, dismissed; the issues of contempt and enforcement of the District Court's order are not ripe for review by this Court.

CONCLUSION

Given that the relief requested falls outside of this Court' purview, Kymberlie's Motion for an Order to Show Cause Regarding Contempt and to Enforce Child Visitation should be denied.

Respectfully submitted this 2 day of May, 2023.

FORD & FRIEDMAN



MATTHEW H. FRIEDMAN, ESQ.

Nevada Bar No. 11571

CHRISTOPHER B. PHILLIPS, ESQ.

Nevada Bar No. 14600

2200 Paseo Verde Parkway, Suite 350

Henderson, NV 89052

Attorneys for Respondent, Mario Opipari

¹ Should Kymberlie desire to dismiss her appeal, Mario would stipulate to the same.

CERTIFICATE OF SERVICE

I the undersigned hereby certify that on the 2 day of May, 2023, I served the above and foregoing **“Respondent’s Opposition to Appellant’s Motion for an Order to Show Cause Regarding Contempt and to Enforce Child Visitation”** by depositing a true and correct copy of the same in the U.S. Mail, postage prepared, addressed to Appellant as follows:

Kymberlie Joy Hurd
210 Red Coral Drive
Henderson, NV 89002



An employee of Ford & Friedman