

Form 1.

**Notice of Appeal to the Supreme Court
From a Judgment or Order of District Court**

D-15-523582-D

**IN THE ...8th JUDICIAL DISTRICT COURT OF NEVADA
AND FOR THE COUNTY OF CLARK**

Electronically Filed
Mar 17 2023 03:01 PM
Elizabeth A. Brown
Clerk of Supreme Court

| | | |
|------------------|---|--------------------------|
| A. B., Plaintiff | } | Holmes, Capucine Yolanda |
| v. | } | |
| C. D., Defendant | } | Holmes, Wilbert R |

NOTICE OF APPEAL

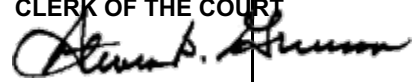
Notice is hereby given that C. D., defendant above named, hereby appeals to the Supreme Court of Nevada (from the final judgment) (from the order (describing it)) entered in this action

Wilbert R Holmes pro se

Wilbert R Holmes

3/14/2023 All Pending
ORDER denying 4/24/2023 hearing
Almase, Heidi

Address **211 catherine Street
Elizabeth NJ 07201**



1 ASTA

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

9 CAPUCINE YOLANDA HOLMES,

10 Plaintiff(s)

11 vs.

12 WILBERT ROY HOLMES,

13 Defendant(s),

Case No: D-15-523582-D

Dept No: J

14
15
16 **CASE APPEAL STATEMENT**

17 1. Appellant(s): Wilbert R. Holmes

18 2. Judge: Heidi Almase

19 3. Appellant(s): Wilbert R. Holmes

20 Counsel:

21 Wilbert R. Holmes
22 211 Catherine St.
23 Elizabeth, NJ 07201

24 4. Respondent (s): Capucine Yolanda Holmes

25 Counsel:

26 William H. Heaton
27 7285 Dean Martin Dr., Ste. 180
28 Las Vegas, NV 89118

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. D-15-523582-D

Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

§
§
§
§

Location: Department X
Judicial Officer: Almase, Heidi
Filed on: 11/05/2015
Case Number History:

CASE INFORMATION

Related Cases

D-08-399088-D (1J1F Related - Rule 5.42)

Case Type: Divorce - Complaint
Subtype: Complaint No Minor(s)

Statistical Closures

03/14/2023 Settled/Withdrawn Without Judicial Conference or Hearing
02/09/2023 Settled/Withdrawn Without Judicial Conference or Hearing
08/02/2022 Settled/Withdrawn Without Judicial Conference or Hearing
05/18/2022 Settled/Withdrawn With Judicial Conference or Hearing
02/23/2022 Settled/Withdrawn Without Judicial Conference or Hearing
12/08/2021 Settled/Withdrawn With Judicial Conference or Hearing
08/10/2021 Settled/Withdrawn With Judicial Conference or Hearing
02/05/2020 Settled/Withdrawn With Judicial Conference or Hearing
02/05/2020 Settled/Withdrawn With Judicial Conference or Hearing
10/29/2019 Settled/Withdrawn With Judicial Conference or Hearing
09/17/2019 Settled/Withdrawn Without Judicial Conference or Hearing
10/30/2018 Settled/Withdrawn Without Judicial Conference or Hearing
01/30/2018 Settled/Withdrawn Without Judicial Conference or Hearing
06/01/2017 Settled/Withdrawn With Judicial Conference or Hearing

Case Status: 03/14/2023 Closed

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number D-15-523582-D
Court Department X
Date Assigned 04/29/2021
Judicial Officer Almase, Heidi

PARTY INFORMATION

Plaintiff Holmes, Capucine Yolanda

Heaton, William Huntington
Retained
702-329-9901(W)


Defendant Holmes, Wilbert Roy


Pro Se
702-281-5752(H)


DATE


EVENTS & ORDERS OF THE COURT

EVENTS

03/16/2023  Case Appeal Statement
Case Appeal Statement

















03/16/2023  Order
Order Denying Defendant's February 20, 230 Motion for Clarification and February 28, 2023 Motion for Stay AMENDED NUNC PRO TUNC

03/14/2023  Notice of Appeal
Filed By: Defendant Holmes, Wilbert Roy
[330] APPEAL 3 14 2023 JUDGE ALMASE HEARING DENIAL DECISION

03/14/2023  Order
[329] Order Denying Defendant's February 20, 2023 Motion fo Clarification and February

















CASE SUMMARY

CASE NO. D-15-523582-D

| | |
|------------|--|
| | 28, 2023 Motion for Stay et al. |
| 03/12/2023 |  Reply to Opposition Filed by: Defendant Holmes, Wilbert Roy <i>[328] Reply to Opposition and/or Countermotion</i> |
| 03/11/2023 |  Opposition and Countermotion Filed By: Plaintiff Holmes, Capucine Yolanda <i>[327] Opposition To Defendants Motion For A Stay Pending 04/24/2023 Motion For Clarification Hearing, And Countermotion For Issuance Of An Order Making Judge Linda Bells May 18, 2020 Decision And Order In Case Nos. A-17-760443-C and A-19-790299-C Applicable To This Case, Or Alternatively Requiring Defendant to Appear And To Show Cause Why He Should Not Be Designated As A Vexatious Litigatant In This Case</i> |
| 03/09/2023 |  Order <i>[326] Order Denying Movant's Ex parte Request for Order (Defendant)</i> |
| 03/09/2023 |  Clerk's Notice of Nonconforming Document <i>[325] Clerks Notice of Nonconforming Document</i> |
| 03/09/2023 |  Notice of Rescheduling of Hearing <i>[324] Notice of Rescheduling of Hearing</i> |
| 03/08/2023 |  Stricken Document Filed by: Defendant Holmes, Wilbert Roy <i>[323] ***No Judicial Signature*** Notice of Motion; Order Shortening Time</i> |
| 03/06/2023 |  Opposition Filed By: Plaintiff Holmes, Capucine Yolanda <i>[322] Opposition to Defendant's Motion for Clarification</i> |
| 02/28/2023 |  Clerk's Notice of Hearing <i>[321] Clerk's Notice of Hearing</i> |
| 02/28/2023 |  Motion to Stay Filed by: Defendant Holmes, Wilbert Roy <i>[320] Motion to Stay</i> |
| 02/21/2023 |  Clerk's Notice of Hearing <i>[319] Clerk's Notice of Hearing</i> |
| 02/20/2023 |  Notice Filed By: Defendant Holmes, Wilbert Roy <i>[318] Notice of Disassociation by Jeffrey Cogan of Pleading Filed By Wilbert Holmes on February 20, 2023</i> |
| 02/20/2023 |  Notice Filed By: Defendant Holmes, Wilbert Roy <i>[317] Notice of Disassociation by Jeffrey Cogan of Pleading Filed By Wilbert Holmes on February 20, 2023</i> |
| 02/20/2023 |  Motion for Clarification Filed by: Defendant Holmes, Wilbert Roy <i>[316] Wilbert R. Holmes Motion for Clarification</i> |
| 02/15/2023 |  Notice of Entry <i>[315] Notice of Entry of Order</i> |
| 02/10/2023 |  Withdrawal of Attorney Filed By: Defendant Holmes, Wilbert Roy <i>[314] Withdrawal of Attorney</i> |
| 02/09/2023 |  Order <i>[313] Order Denying Defendant's February 1, 2023 Motion to Expunge Lien Recorded on Residence et al. without Prejudice</i> |


















CASE SUMMARY

CASE NO. D-15-523582-D

| | |
|------------|---|
| 02/09/2023 |  NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[312] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed</i> |
| 02/01/2023 |  Clerk's Notice of Hearing <i>[311] Clerk's Notice of Hearing</i> |
| 02/01/2023 |  Family Court Motion Opposition Fee Information Sheet Filed by: Defendant Holmes, Wilbert Roy <i>[310] Family Court Motion Fee Information Sheet</i> |
| 02/01/2023 |  Motion for Frivolous Lien Filed by: Defendant Holmes, Wilbert Roy <i>[309] Wilbert R. Holmes' Motion to Expunge Lien Recorded on the Residence Located at 10550 Patrington Court, Las Vegas, Nevada 89183</i> |
| 01/18/2023 |  Request Filed By: Defendant Holmes, Wilbert Roy <i>[308] Request for Judicial Notice and Notice of Appearance</i> |
| 01/01/2023 |  Filing Filed by: Defendant Holmes, Wilbert Roy <i>[307] Documents form Defendant</i> |
| 12/31/2022 |  Filing Filed by: Defendant Holmes, Wilbert Roy <i>[306] My Relevant Detail Submitted For Appeal Court Review</i> |
| 10/26/2022 |  Notice of Change of Address Filed By: Plaintiff Holmes, Capucine Yolanda <i>[305] Notice of Change of Attorney and Address</i> |
| 08/09/2022 |  Notice of Entry <i>[304] Notice of Entry of Order</i> |
| 08/02/2022 |  Order <i>[303] Order from August 4, 2022 pursuant to EDCR 2.23(c)</i> |
| 07/07/2022 |  Notice of Withdrawal Filed By: Intervenor Panfil, Kimberly <i>[302] Notice of Withdrawal</i> |
| 06/29/2022 |  Order <i>[301] Order to Withdraw - Defendant</i> |
| 06/27/2022 |  Notice of Hearing <i>[300] Notice of Hearing</i> |
| 06/21/2022 |  Notice of Hearing <i>[299] Notice of Hearing</i> |
| 06/20/2022 |  Motion Filed By: Defendant Holmes, Wilbert Roy <i>[298] Motion for Relief from Judgment</i> |
| 06/10/2022 |  Motion to Stay Filed by: Defendant Holmes, Wilbert Roy <i>[297] Wilbert R Holmes Motion to Stay Pending Appeal</i> |
| 06/06/2022 |  Motion to Withdraw As Counsel Filed By: Defendant Holmes, Wilbert Roy <i>[296] Motion and Notice of Motion to Withdraw As Counsel of record for Defendant No Hearing Requested</i> |
| 06/06/2022 |  Clerk's Notice of Nonconforming Document |

CASE SUMMARY



















CASE NO. D-15-523582-D

| | |
|------------|---|
| | <i>[295] Clerk's Notice of Nonconforming Document</i> |
| 06/02/2022 |  Motion to Withdraw As Counsel <i>[294] Motion and Notice of Motion to Withdraw as Counsel of Record for Defendant</i> |
| 05/31/2022 |  Case Appeal Statement <i>[293] Case Appeal Statement</i> |
| 05/26/2022 |  Notice of Appeal Filed By: Defendant Holmes, Wilbert Roy <i>[292] Notice of Appeal</i> |
| 05/24/2022 |  NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[291] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed</i> |
| 05/18/2022 |  Notice of Entry of Order <i>[290] Notice of Entry of Order</i> |
| 05/18/2022 |  Order <i>[289] Order on Plaintiffs' Motion for Order Requiring Defendant to Appear and Show Cause Why Defendant Should not be Held in Contempt and Motion for (1) and Order Compelling Defendant to Comply with Decree of Divorce; (2) an Order for the Immediate Sale of Marital Resident and that Defendant Cooperate with the Sale; (3) and Order Compelling Defendant to Deliver Keys to the Residence; and (4) for Plaintiff's Attorney Fees and Costs; and Related Relief</i> |
| 05/15/2022 |  Miscellaneous Filing <i>[288] Reply to Opposition: Divorce Accountin of Attorney Fees Plaintiff's Motion for Order Requiring Defendant To Appear and Show Cause Why Defendant Should Not Be Held in Contempt and Motion for (1) an Order Conmpelling Defendant To Comply With Decree of Divorce; (2) an Order for the Immediate Sale of Marital Residence and That Defendant Cooperate With the Sale; (3) an Order Compelling Defendant to Deliver Keys to the Residence; and (4) for Plaintiffs Attorney Fees and Costs; and Related Relief</i> |
| 05/14/2022 |  Miscellaneous Filing <i>[287] Divorce Details</i> |
| 05/14/2022 |  Miscellaneous Filing <i>[286] Answer - Divorce, Annulment, Separate Maintenance</i> |
| 05/14/2022 |  Miscellaneous Filing <i>[285] Answer - Divorce, Annulment, Separate Maintenance</i> |
| 05/14/2022 |  Miscellaneous Filing <i>[284] Answer - Divorce, Annulment, Separate Maintenance</i> |
| 05/14/2022 |  Miscellaneous Filing <i>[283] Answer - Divorce, Annulment, Separate Maintenance</i> |
| 05/14/2022 |  Miscellaneous Filing <i>[282] Answer - Divorce, Annulment, Separate Maintenance</i> |
| 05/14/2022 |  Miscellaneous Filing <i>[281] Answer - Divorce, Annulment, Separate Maintenance</i> |
| 05/14/2022 |  Miscellaneous Filing <i>[280] Answer - Divorce, Annulment, Separate Maintenance</i> |
| 05/14/2022 |  Miscellaneous Filing <i>[279] Answer- Divorce, Annulment, Separate Maintenance</i> |
| 05/13/2022 |  Supplement Filed by: Plaintiff Holmes, Capucine Yolanda <i>[278] Supplement to Motion for Order Requiring Defendant to Appear and Show Cause Why Defendant Should not be Held in Contempt and Motion for (1) an Order Compelling Defendant to Comply with Decree of Divorce; (2) and Order for the Immediate Sale of Marital</i> |

CASE SUMMARY
















CASE NO. D-15-523582-D

Residence and that Defendant Cooperate with the Sale; (3) an Order Compelling Defendant to Deliver Keys to the Residence; and (4) for Plaintiff's Attorney Fees and Costs; and Related Relief

| | |
|------------|--|
| 05/09/2022 |  Miscellaneous Filing <i>[277] Answer - Divorce Accounting of Attorney Fees</i> |
| 05/02/2022 |  Miscellaneous Filing <i>[276] Answer to matter before the Court on Plaintiffs' Ex Parte Motion for Order</i> |
| 04/08/2022 |  Notice of Entry of Order <i>[275] Notice of Entry of Order to Show Cause</i> |
| 04/07/2022 |  Order to Show Cause <i>[274] Order to Show Cause</i> |
| 04/07/2022 |  Notice of Hearing <i>[273] Notice of Hearing</i> |
| 04/07/2022 |  Ex Parte Application Filed by: Plaintiff Holmes, Capucine Yolanda <i>[272] Ex Parte Application for Order to Show Cause</i> |
| 04/07/2022 |  Motion for Order Filed by: Plaintiff Holmes, Capucine Yolanda <i>[271] Motion for Order Requiring Defendant to Appear and Show Cause Why Defendant Should not be Held in Contempt and Motion for (1) an Order Compelling Defendant to Comply with Decree of Divorce; (2) an Order for the Immediate Sale of Marital Residence and that Defendant Cooperate with the Sale; (3) an Order Compelling Defendant to Deliver Key to the Residence; and (4) for Plaintiff's Attorney Fees and Costs; and Related Relief</i> |
| 03/01/2022 |  NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>[270] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i> |
| 02/23/2022 |  Domestic Notice to Statistically Close Case <i>[269] Domestic Notice to Statistically Close Case</i> |
| 02/23/2022 |  Notice of Entry <i>[268] Notice of Entry of Order</i> |
| 02/23/2022 |  Order <i>[267] Order from February 23, 2022 Chambers Review</i> |
| 01/20/2022 |  Case Appeal Statement <i>[266] Case Appeal Statement</i> |
| 01/19/2022 |  Notice of Appeal Filed By: Defendant Holmes, Wilbert Roy <i>[265] Notice of Appeal</i> |
| 01/18/2022 |  Ex Parte Motion Filed by: Defendant Holmes, Wilbert Roy <i>[264] Ex Parte Motion for an order Shortening Time</i> |
| 01/13/2022 |  Notice of Hearing <i>[263] Notice of Hearing</i> |
| 01/13/2022 |  Motion to Stay Filed by: Defendant Holmes, Wilbert Roy <i>[262] Wilbert R Holmes Motion for Stay Pending Appeal</i> |
| 01/13/2022 |  Clerk's Notice of Nonconforming Document <i>[261] Clerk's Notice of Nonconforming Document</i> |
| 01/11/2022 |  Motion to Stay |



















CASE SUMMARY

CASE NO. D-15-523582-D

| | |
|------------|---|
| | Filed by: Defendant Holmes, Wilbert Roy <i>[260] Wilbert R Holmes Motion for a Stay Pending Appeal</i> |
| 01/11/2022 |  Ex Parte Motion Filed by: Defendant Holmes, Wilbert Roy <i>[259] Ex Parte Motion for an Order Shortening Time</i> |
| 01/11/2022 |  Ex Parte Motion Filed by: Defendant Holmes, Wilbert Roy <i>[258] Ex Parte Motion for an Order Shortening Time</i> |
| 01/11/2022 |  Ex Parte Motion Filed by: Defendant Holmes, Wilbert Roy <i>[257] Ex Parte Motion for an Order Shortening Time</i> |
| 01/10/2022 |  Notice of Hearing <i>[256] Notice of Hearing</i> |
| 01/09/2022 |  Motion to Stay Filed by: Defendant Holmes, Wilbert Roy <i>[255] Wilbert R. Holmes Motion for a Stay Pending Appeal</i> |
| 01/05/2022 |  Stricken Document Filed by: Defendant Holmes, Wilbert Roy <i>[254] ***DOCUMENT STRICKEN PER MINUTE ORDER 01/10/2022*** Acknowledgment for acknowledgment of important relevant information</i> |
| 12/08/2021 |  Domestic Notice to Statistically Close Case <i>[253] Domestic Notice to Statistically Close Case</i> |
| 10/12/2021 |  Writ Electronically Issued <i>[252] Writ of Execution (Electronically Issued)</i> |
| 10/11/2021 |  Writ Filed By: Plaintiff Holmes, Capucine Yolanda <i>[251] Writ of Execution (Electronically Issued) (**Not Issued**) (No Order filed for date annotated and Notice is not attached to Writ)</i> |
| 10/04/2021 |  Opposition to Motion Filed by: Plaintiff Holmes, Capucine Yolanda <i>[250] Opposition to Motion to Motion to Stay August 10, 2021 Order for Sanctions Pending Appeal</i> |
| 09/23/2021 |  Notice of Hearing <i>[249] Notice of Hearing</i> |
| 09/23/2021 |  Motion to Stay Filed by: Defendant Holmes, Wilbert Roy <i>[248] Dept.No.X Motion to Stay Order for Sanctions Hearing Requested; Motion to Stay August 10, 2021 Order for Sanctions Pending Appeal</i> |
| 09/08/2021 |  NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>[247] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i> |
| 09/07/2021 |  Notice of Entry of Order <i>[246] Notice of Entry of Order</i> |
| 09/07/2021 |  Order <i>[245] Order Awarding Attorney's Fees</i> |
| 09/01/2021 |  Appearance <i>[244] Appearance</i> |
| 08/23/2021 |  Memorandum <i>[243] Memorandum of Fees and Costs</i> |


CASE SUMMARY

CASE NO. D-15-523582-D

| | |
|------------|--|
| 08/20/2021 |  Case Appeal Statement Filed By: Defendant Holmes, Wilbert Roy <i>[242] Case Appeal Statement</i> |
| 08/18/2021 |  Notice of Appeal Filed By: Defendant Holmes, Wilbert Roy <i>[241] Notice of Appeal</i> |
| 08/10/2021 |  Notice of Entry of Order Filed By: Plaintiff Holmes, Capucine Yolanda <i>[240] Notice of Entry of Order</i> |
| 08/10/2021 |  Order Granting <i>[239] Order Granting Motion for Sanctions Pursuant to NRCP 11</i> |
| 08/02/2021 |  Case Appeal Statement Filed By: Defendant Holmes, Wilbert Roy <i>[238] Case Appeal Statement</i> |
| 08/01/2021 |  Notice of Appeal Filed By: Defendant Holmes, Wilbert Roy <i>[237] Notice of Appeal</i> |
| 07/22/2021 |  Notice of Rescheduling of Hearing <i>[236] Notice of Rescheduling of Hearing</i> |
| 07/20/2021 |  Reply Filed By: Plaintiff Holmes, Capucine Yolanda <i>[235] Reply in Support of Motion for Sanctions and Request for Access to Property for Pictures and Video</i> |
| 07/14/2021 |  Case Appeal Statement Filed By: Defendant Holmes, Wilbert Roy <i>[234] Case Appeal Statement</i> |
| 07/14/2021 |  Case Appeal Statement Filed By: Defendant Holmes, Wilbert Roy <i>[233] Case Appeal Statement</i> |
| 06/16/2021 |  Notice of Hearing <i>[232] Notice of Hearing</i> |
| 06/14/2021 |  Notice of Appeal <i>[231] Notice of Appeal</i> |
| 06/14/2021 |  Notice of Entry <i>[230] Notice of Entry of Order from June 9, 2021 Chambers Review</i> |
| 06/10/2021 |  Notice of Appeal Filed By: Defendant Holmes, Wilbert Roy <i>[229] Notice of Appeal</i> |
| 06/10/2021 |  Order <i>[228] Order from June 9, 2021 Chambers Review</i> |
| 06/10/2021 |  Order <i>[227] Order from June 9, 2021 Chambers Review</i> |
| 06/10/2021 |  Notice of Hearing <i>[226] Notice of Hearing</i> |
| 06/04/2021 |  Notice of Hearing <i>[225] Notice of Hearing</i> |

CASE SUMMARY

CASE NO. D-15-523582-D

| | |
|------------|---|
| 06/02/2021 |  Certificate of Service <i>[224] Certificate of Service re Motion for Sanctions Pursuant to NRCP 11</i> |
| 06/02/2021 |  Supplement <i>[223] Supplement to Motion for Sanctions Pursuant to Rule 11</i> |
| 06/02/2021 |  Motion <i>[222] Motion for Sanctions Pursuant to Rule 11</i> |
| 05/24/2021 |  Motion Filed By: Defendant Holmes, Wilbert Roy <i>[221] Motion to Reverse/Drop Withdrawal of Motion for Request for Order to Revise Property Settlement</i> |
| 05/24/2021 |  Motion Filed By: Defendant Holmes, Wilbert Roy <i>[220] Motion for Request for Order to Revise Property Settlement</i> |
| 04/29/2021 |  Notice of Department Reassignment <i>[219] Notice of Department Reassignment</i> |
| 04/16/2021 |  Reply Filed By: Attorney Blanchard, Brent A.; Intervenor Panfil, Kimberly <i>[218] Reply Memorandum in Support of Motion to Intervene</i> |
| 04/10/2021 |  Opposition to Motion Filed by: Attorney Fontano, James A.; Plaintiff Holmes, Capucine Yolanda <i>[217] Opposition to Motion to Intervene</i> |
| 04/01/2021 |  Notice of Hearing <i>[216] Notice of Hearing</i> |
| 03/29/2021 |  Motion Filed By: Defendant Holmes, Wilbert Roy <i>[215] Motion to Withdraw: Motion for Request for Order to Revise Property Settlement Withdrawing as Allowed Under NRCP 11(c)(2)</i> |
| 03/24/2021 |  Certificate of Service Filed by: Intervenor Panfil, Kimberly <i>[214] Certificate of Electronic Service (Motion to Intervene with All Exhibits)</i> |
| 03/23/2021 |  Opposition to Motion Filed by: Attorney Fontano, James A.; Plaintiff Holmes, Capucine Yolanda <i>[213] Opposition to Motion for Request for Order to Revise Property Settlement</i> |
| 03/18/2021 |  Notice of Hearing <i>[212] Notice of Hearing</i> |
| 03/17/2021 |  Clerk's Notice of Nonconforming Document <i>[211] Clerks Notice of Nonconforming Document</i> |
| 03/12/2021 |  Addendum Filed By: Defendant Holmes, Wilbert Roy <i>[210] Addendum A1 Motion for Request for Order to Revise Property Settlement Contents and Authorities</i> |
| 03/12/2021 |  Motion to Intervene Filed by: Attorney Blanchard, Brent A.; Intervenor Panfil, Kimberly <i>[209] Motion to Intervene with Ex Parte Motion for Order Shortening Time Hearing Not Requested</i> |
| 03/11/2021 |  Clerk's Notice of Nonconforming Document <i>[208] Clerk's Notice of Nonconforming Document</i> |
| 03/11/2021 |  Notice of Hearing |


















CASE SUMMARY

CASE NO. D-15-523582-D

| | |
|------------|---|
| | <i>[207] Notice of Hearing</i> |
| 03/10/2021 |  Clerk's Notice of Nonconforming Document <i>[206] Clerk's Notice of Nonconforming Document</i> |
| 03/09/2021 |  Motion Filed By: Defendant Holmes, Wilbert Roy <i>[205] Motion for Request for Order to Revise Property Settlement</i> |
| 03/05/2021 |  Exhibits <i>[204] Exhibit E</i> |
| 03/05/2021 |  Exhibits <i>[203] Exhibit D -Escrow Receipt</i> |
| 03/05/2021 |  Exhibits <i>[202] Exhibit C -Signed Counteroffer</i> |
| 03/05/2021 |  Exhibits <i>[201] Exhibit B -Settlement Statement</i> |
| 03/05/2021 |  Exhibits <i>[200] Exhibit A -MLS Listing</i> |
| 03/05/2021 |  Motion <i>[199] Motion to Approve Sale of Marital Property</i> |
| 03/05/2021 |  Declaration <i>[198] Declaration and Order Shortening Time</i> |
| 03/05/2021 |  Motion to Intervene <i>[197] Motion to Intervene with Ex Parte Motion for Order Shortening Time</i> |
| 03/05/2021 |  Notice of Entry <i>[196] Notice of Entry of Appearance</i> |
| 01/04/2021 | Administrative Reassignment - Judicial Officer Change <i>Judicial Reassignment to Judge Dee Smart Butler</i> |
| 05/13/2020 |  NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>[195] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i> |
| 04/22/2020 |  NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>[194] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i> |
| 03/30/2020 |  Case Appeal Statement Filed By: Defendant Holmes, Wilbert Roy <i>[193] Case Appeal Statement</i> |
| 03/26/2020 |  Notice of Appeal Filed By: Defendant Holmes, Wilbert Roy <i>[192] Notice of Appeal</i> |
| 03/26/2020 |  NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>[191] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i> |
| 03/19/2020 |  Notice of Entry of Order <i>[190] Notice of Entry of Order</i> |
| 03/18/2020 |  Order Denying Filed by: Plaintiff Holmes, Capucine Yolanda <i>[189] Order Denying Motion for Rehearing</i> |
| 03/13/2020 |  Order to Proceed In Forma Pauperis Filed By: Defendant Holmes, Wilbert Roy <i>[188] Order to Proceed In Forma Pauperis (Confidential)</i> |





CASE SUMMARY

CASE NO. D-15-523582-D

| | |
|------------|--|
| 03/05/2020 |  NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>[187] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i> |
| 02/20/2020 |  Case Appeal Statement Filed By: Defendant Holmes, Wilbert Roy <i>[186] Case Appeal Statement</i> |
| 02/18/2020 |  Notice of Appeal Filed By: Defendant Holmes, Wilbert Roy <i>[185] Notice of Appeal</i> |
| 02/14/2020 |  Addendum Filed By: Defendant Holmes, Wilbert Roy <i>[184] For Information Purposes Supreme Court Case No. 80465 Brief Draft 1A</i> |
| 02/07/2020 |  Application to Proceed in Forma Pauperis Filed By: Defendant Holmes, Wilbert Roy <i>[183] Application to Proceed in Forma Pauperis (Confidential)</i> |
| 02/07/2020 |  Case Appeal Statement Filed By: Defendant Holmes, Wilbert Roy <i>[182] Case Appeal Statement</i> |
| 02/07/2020 |  Notice of Entry of Order Filed By: Plaintiff Holmes, Capucine Yolanda <i>[181] Notice of Entry of Order</i> |
| 02/05/2020 |  Notice of Appeal Filed By: Defendant Holmes, Wilbert Roy <i>[180] Notice of Appeal</i> |
| 02/04/2020 |  Order Granting <i>[179] Order Granting Motion for Order to Show Cause Why Defendant Should not be Held in Contempt, to Compel Compliance with Decree of Divorce, and for Award of Attorney's Fees and Costs</i> |
| 01/21/2020 |  Case Appeal Statement Filed By: Defendant Holmes, Wilbert Roy <i>[178] Case Appeal Statement</i> |
| 01/16/2020 |  Notice of Appeal Filed By: Defendant Holmes, Wilbert Roy <i>[176] Notice of Appeal</i> |
| 01/09/2020 |  NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>[175] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i> |
| 12/19/2019 |  Opposition to Motion Filed by: Defendant Holmes, Wilbert Roy <i>[174] Opposition to: Motion for Order to Show Cause Why Defendant Should Not be Found in Contempt, to Compel Compliance with Decree of Divorce, and for Award of Attorney's Fees and Costs</i> |
| 12/13/2019 |  Ex Parte Motion Filed by: Defendant Holmes, Wilbert Roy <i>[173] Ex Parte Motion to Continue</i> |
| 12/12/2019 |  Order <i>[172] Order Awarding Attorney's Fees</i> |
| 12/10/2019 |  Certificate of Service <i>[171] Certificate of Service</i> |
| 12/03/2019 |  Order to Show Cause |

CASE SUMMARY

CASE NO. D-15-523582-D

| | |
|------------|---|
| | Filed By: Plaintiff Holmes, Capucine Yolanda <i>[170] Order to Show Cause</i> |
| 11/13/2019 |  Objection Filed By: Defendant Holmes, Wilbert Roy <i>[169] Corrected Objection to Motion for Order to Show Cause Why Defendant Should Not be Found in Contempt, to Compel Compliance with Decree of Divorce, and for Award of Attorney's Fees and Costs Objection to Show Cause</i> |
| 11/12/2019 |  Objection Filed By: Defendant Holmes, Wilbert Roy <i>[168] Objection to Motion for Order to Show Cause Why Defendant Should Not Be Found in Contempt, to Compel Compliance with Decree of Divorce, and for Award of Attorney's Fees and Costs Objection to Show Cause</i> |
| 11/12/2019 |  Notice of Hearing <i>[167] Notice of Hearing</i> |
| 11/08/2019 |  Ex Parte Application Filed by: Plaintiff Holmes, Capucine Yolanda <i>[166] Ex Parte Application for Order to Show Cause</i> |
| 11/08/2019 |  Exhibits Filed By: Plaintiff Holmes, Capucine Yolanda <i>[165] Exhibit Appendix</i> |
| 11/08/2019 |  Motion for Order to Show Cause Filed By: Plaintiff Holmes, Capucine Yolanda <i>[164] Motion for Order to Show Cause Why Defendant Should Not be Found in Contempt, to Compel Compliance with Decree of Divorce, and for Award of Attorney's Fees and Costs</i> |
| 11/08/2019 |  Memorandum Filed By: Plaintiff Holmes, Capucine Yolanda <i>[163] Memorandum of Fees and Costs</i> |
| 11/04/2019 |  Case Appeal Statement Filed By: Defendant Holmes, Wilbert Roy <i>[162] Case Appeal Statement</i> |
| 10/30/2019 |  Notice of Appeal Filed By: Defendant Holmes, Wilbert Roy <i>[161] Notice of Appeal</i> |
| 10/28/2019 |  Notice <i>[160] Notice of Intent to Appear by Communication Equipment</i> |
| 10/28/2019 |  Notice Filed By: Defendant Holmes, Wilbert Roy <i>[159] Notice of Intent to Appear by Communication Equipment</i> |
| 10/21/2019 |  Opposition to Motion Filed by: Plaintiff Holmes, Capucine Yolanda <i>[158] Opposition to Motion for Rehearing</i> |
| 09/26/2019 |  Notice of Hearing <i>[157] Notice of Hearing</i> |
| 09/25/2019 |  Re-Notice of Motion Filed by: Defendant Holmes, Wilbert Roy <i>[156] Re-Notice of Motion Motion for Rehearing Hearing Requested</i> |
| 08/20/2019 |  Notice of Hearing <i>[155] Notice of Hearing</i> |
| 08/20/2019 |  Notice of Hearing |


















CASE SUMMARY

CASE NO. D-15-523582-D

| | |
|------------|--|
| | <i>[154] Notice of Hearing</i> |
| 08/20/2019 |  Motion Filed By: Defendant Holmes, Wilbert Roy <i>[153] Motion Motion for Rehearing</i> |
| 08/19/2019 |  Motion Filed By: Defendant Holmes, Wilbert Roy <i>[152] Motion Motion for Rehearing</i> |
| 08/19/2019 |  Notice of Entry <i>[151] Notice of Entry of Order Quashing Subpoena</i> |
| 08/19/2019 |  Notice of Entry <i>[150] Notice of Entry of Order Quashing Subpoena</i> |
| 08/16/2019 |  Order <i>[149] Order Quashing Subpoena</i> |
| 08/16/2019 |  Order <i>[148] Order Quashing Subpoena</i> |
| 08/02/2019 |  NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[147] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed; Review Denied</i> |
| 09/04/2018 |  Subpoena Duces Tecum Filed by: Defendant Holmes, Wilbert Roy <i>[146] Subpoena-Domestic Duces Tecum (for Documents)</i> |
| 08/31/2018 |  Subpoena Duces Tecum Filed by: Defendant Holmes, Wilbert Roy <i>[145] Subpoena-Domestic Duces Tecum (for Documents)</i> |
| 08/13/2018 |  Certificate of Mailing <i>[144] Certificate of Mailing</i> |
| 08/13/2018 |  Affidavit <i>[143] Affidavit of the Honorable Rena G. Hughes in Response to "Defendant's Motion to Disqualify" Filed in Case D-15-523582-D</i> |
| 08/13/2018 |  Addendum Filed By: Defendant Holmes, Wilbert Roy <i>[142] Addendum 5 Divorce Addendum Points and Authorities</i> |
| 08/07/2018 |  Request Transcript of Proceedings <i>[141] Request Transcript of Proceedings (Supreme Court)</i> |
| 07/26/2018 |  Receipt of Copy Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy <i>[140] Receipt of Copy</i> |
| 07/17/2018 |  Motion to Disqualify Judge Filed by: Defendant Holmes, Wilbert Roy <i>[139] Motion to Disqualify</i> |
| 07/16/2018 |  Addendum Filed By: Defendant Holmes, Wilbert Roy <i>[138] Addendum (4) Divorce</i> |
| 07/09/2018 |  Request Transcript of Proceedings <i>[137]</i> |
| 06/30/2018 |  Addendum |

















CASE SUMMARY

CASE NO. D-15-523582-D

| | |
|------------|--|
| | Filed By: Defendant Holmes, Wilbert Roy <i>[136] Addendum (3) Divorce</i> |
| 06/21/2018 |  Case Appeal Statement <i>[135]</i> |
| 06/20/2018 |  Notice of Appeal Filed By: Defendant Holmes, Wilbert Roy <i>[134]</i> |
| 06/18/2018 |  Motion to Disqualify Judge Filed by: Defendant Holmes, Wilbert Roy <i>[133] Motion to Disqualify</i> |
| 06/14/2018 |  Notice of Entry of Order <i>[132] Notice of Entry of Order Upon Remand Clarifying Decree of Divorce</i> |
| 06/14/2018 |  Order to Proceed In Forma Pauperis Filed By: Defendant Holmes, Wilbert Roy <i>[131] Order to Proceed In Forma Pauperis (Confidential)</i> |
| 06/12/2018 |  Order <i>[130] Order Upon Remand Clarifying Decree of Divorce</i> |
| 05/31/2018 |  NV Supreme Court Clerks Certificate/Judgment - Affd/Rev Part <i>[129] Nevada Supreme Court Clerk's Certificate Judgment - Affirmed in Part, Reversed in Part and Remand</i> |
| 05/17/2018 |  Addendum Filed By: Defendant Holmes, Wilbert Roy <i>[128] Addendum (1) Divorce</i> |
| 05/17/2018 |  Application to Proceed in Forma Pauperis Filed By: Defendant Holmes, Wilbert Roy <i>[127] Application to Proceed in Forma Pauperis (Confidential)</i> |
| 01/30/2018 |  Domestic Notice to Statistically Close Case <i>[126]</i> |
| 11/08/2017 |  Order Denying <i>[125] Order Denying Motion to Disqualify</i> |
| 11/03/2017 |  Certificate of Mailing <i>[124]</i> |
| 11/03/2017 |  Affidavit <i>[123] Affidavit of the Honorable Rena G. Hughes in Response to "Motion to Disqualify Judge"</i> <i>Filed in Case D-15-523582-D</i> |
| 10/20/2017 |  Notice of Entry of Order Filed By: Plaintiff Holmes, Capucine Yolanda <i>[122] Notice of Entry of Order Shortening Time</i> |
| 10/20/2017 |  Notice of Entry of Order Filed By: Plaintiff Holmes, Capucine Yolanda <i>[121] Notice of Entry of Order to Show Cause</i> |
| 10/20/2017 |  Order Shortening Time Filed By: Plaintiff Holmes, Capucine Yolanda <i>[120]</i> |
| 10/20/2017 |  Order to Show Cause Filed By: Plaintiff Holmes, Capucine Yolanda <i>[119]</i> |

















CASE SUMMARY

CASE NO. D-15-523582-D

| | |
|------------|--|
| 10/12/2017 |  Ex Parte Motion Filed by: Plaintiff Holmes, Capucine Yolanda <i>[118] Ex Parte Motion for Order Shortening Time</i> |
| 10/11/2017 |  Exhibits Filed By: Plaintiff Holmes, Capucine Yolanda <i>[117] Exhibit Appendix</i> |
| 10/11/2017 |  Ex Parte Application for Order <i>[116] Ex Parte Application for Order to Show Cause</i> |
| 10/11/2017 |  Motion for Order to Show Cause Filed By: Plaintiff Holmes, Capucine Yolanda <i>[115] Motion for Order to Show Cause Why Defendant Should Not Be Found in Contempt, to Compel Compliance with Decree of Divorce, and for Award of Attorney's Fees and Costs</i> |
| 10/11/2017 |  Notice of Appearance Party: Plaintiff Holmes, Capucine Yolanda <i>[114]</i> |
| 10/06/2017 |  Ex Parte Motion Filed by: Defendant Holmes, Wilbert Roy <i>[113] Ex Parte Motion for Motion to Stay</i> |
| 10/05/2017 |  Ex Parte Motion Filed by: Defendant Holmes, Wilbert Roy <i>[112] Ex Parte Motion for an Order Shortening Time</i> |
| 09/25/2017 |  Amended Motion Filed by: Defendant Holmes, Wilbert Roy <i>[111] Amended Motion and Notice of Motion for Orders to Set Aside Order, Judgment, and/or Default</i> |
| 09/25/2017 |  Notice of Motion Filed By: Defendant Holmes, Wilbert Roy <i>[110]</i> |
| 09/25/2017 |  Motion Filed By: Defendant Holmes, Wilbert Roy Party 2: Plaintiff Holmes, Capucine Yolanda <i>[109] Motion and Notice of Motion for Orders to Set Aside Order, Judgment, and/or Default</i> |
| 09/19/2017 |  Motion to Disqualify Judge Filed by: Defendant Holmes, Wilbert Roy <i>[108] Defendant Wilbert Holmes Memorandum of Law in Support of Motion to Disqualify Judge Rena G. Hughes Under 28U.S.C. 144</i> |
| 07/18/2017 |  Motion to Stay Filed by: Defendant Holmes, Wilbert Roy <i>[107]</i> |
| 06/14/2017 |  Case Appeal Statement Filed By: Defendant Holmes, Wilbert Roy <i>[106]</i> |
| 06/09/2017 |  Withdrawal of Attorney Filed By: Plaintiff Holmes, Capucine Yolanda <i>[105]</i> |
| 06/09/2017 |  Notice of Entry of Order Filed By: Plaintiff Holmes, Capucine Yolanda <i>[104]</i> |
| 06/08/2017 |  Notice of Appeal |
















CASE SUMMARY

CASE NO. D-15-523582-D

| | |
|------------|--|
| | Filed By: Defendant Holmes, Wilbert Roy [103] |
| 06/01/2017 |  Notice of Entry of Decree [102] <i>Notice of Entry of Decree of Divorce</i> |
| 06/01/2017 |  Decree of Divorce Filed by: Defendant Holmes, Wilbert Roy; Plaintiff Holmes, Capucine Yolanda [101] |
| 04/06/2017 |  Order Filed By: Plaintiff Holmes, Capucine Yolanda [100] <i>Order from Hearing 4-05-17</i> |
| 04/06/2017 |  Miscellaneous Filing [99] <i>Closing Instructions</i> |
| 02/21/2017 |  Statement Filed By: Defendant Holmes, Wilbert Roy [97] <i>Buyer Settlement Statement</i> |
| 02/18/2017 |  Notice of Rescheduling of Hearing [96] |
| 02/16/2017 |  Statement Filed By: Defendant Holmes, Wilbert Roy [95] <i>Buyer Settlement Statement</i> |
| 02/16/2017 |  Document Filed Filed by: Plaintiff Holmes, Capucine Yolanda [94] <i>Document of Property Settlement Statement Purchase Sheet</i> |
| 02/14/2017 |  Ex Parte Motion Filed by: Defendant Holmes, Wilbert Roy [93] <i>Ex Parte Motion for an Order Shortening Time</i> |
| 02/14/2017 |  Affidavit of Service Filed By: Defendant Holmes, Wilbert Roy Party 2: Plaintiff Holmes, Capucine Yolanda [92] |
| 02/10/2017 |  Miscellaneous Filing [91] <i>Property Detail Required</i> |
| 02/09/2017 |  Notice of Change of Hearing [90] <i>Clerk of the Court's Notice of Change of Hearing</i> |
| 02/05/2017 |  Motion to Enforce Filed by: Defendant Holmes, Wilbert Roy [89] <i>Motion and Notice of Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt</i> |
| 02/01/2017 |  Request Filed By: Defendant Holmes, Wilbert Roy [88] <i>Divorce Status and Finalization Request</i> |
| 01/24/2017 |  Affidavit of Service Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy [87] |
| 01/20/2017 |  Subpoena Duces Tecum Filed by: Plaintiff Holmes, Capucine Yolanda [86] |


















CASE SUMMARY

CASE NO. D-15-523582-D

| | |
|------------|--|
| 01/18/2017 |  Certificate of Service Filed by: Plaintiff Holmes, Capucine Yolanda [85] |
| 01/17/2017 |  Amended Filed By: Plaintiff Holmes, Capucine Yolanda [84] Amended Pre-Trial Memorandum |
| 01/16/2017 |  Pre-trial Memorandum Filed By: Defendant Holmes, Wilbert Roy [83] Pre Trial Memorandum Exhibit A and D Updated |
| 01/10/2017 |  Financial Disclosure Form Filed by: Plaintiff Holmes, Capucine Yolanda [82] General Financial Disclosure Form (Confidential) |
| 01/10/2017 |  Financial Disclosure Form Filed by: Defendant Holmes, Wilbert Roy [81] General Financial Disclosure Form (Confidential) |
| 01/08/2017 |  Pre-trial Memorandum Filed By: Defendant Holmes, Wilbert Roy [80] Pre Trial Memorandum - Updated Fin Disclo Form with Exhibit J (Confidential) |
| 01/05/2017 |  Pre-trial Memorandum Filed By: Defendant Holmes, Wilbert Roy [79] Pre Trial Memorandum Computation Schedule A A |
| 01/05/2017 |  Certificate of Mailing Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy [78] |
| 01/05/2017 |  Amended Filed By: Plaintiff Holmes, Capucine Yolanda [77] Amended Pre-Trial Memorandum |
| 01/04/2017 |  Pre-trial Memorandum Filed By: Defendant Holmes, Wilbert Roy [75] Pre Trial Memorandum Exhibit E and F |
| 01/03/2017 |  Pre-trial Memorandum Filed By: Defendant Holmes, Wilbert Roy [76] Updated Pre Trial Memorandum |
| 12/31/2016 |  Certificate of Mailing Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy [74] |
| 12/22/2016 |  Certificate of Mailing Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy [73] |
| 12/22/2016 |  Pre-trial Memorandum Filed By: Plaintiff Holmes, Capucine Yolanda [72] |
| 12/20/2016 |  Certificate of Mailing Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy [71] |
| 12/19/2016 | |
















CASE SUMMARY

CASE NO. D-15-523582-D

| | |
|------------|---|
| |  Pre-trial Memorandum Filed By: Defendant Holmes, Wilbert Roy <i>[70] Updated Pre Trail Memorandum</i> |
| 12/18/2016 |  Exhibits Filed By: Defendant Holmes, Wilbert Roy <i>[69] Malicious Prosecution Detail and Exhibits</i> |
| 12/14/2016 |  Miscellaneous Filing <i>[68] Updated Witness Letter/Kim Panfield</i> |
| 12/13/2016 |  Certificate of Mailing Filed By: Defendant Holmes, Wilbert Roy Party 2: Plaintiff Holmes, Capucine Yolanda <i>[67]</i> |
| 12/12/2016 |  Financial Disclosure Form Filed by: Defendant Holmes, Wilbert Roy <i>[66] General Financial Disclosure Form (Confidential)</i> |
| 12/11/2016 |  Affirmation Filed By: Defendant Holmes, Wilbert Roy <i>[65] Affirmation - Case Conference Report or Pre-Trial Memorandum Pursuant to NRS 239.030</i> |
| 12/11/2016 |  Pre-trial Memorandum Filed By: Defendant Holmes, Wilbert Roy <i>[64] Defendant's Pre-Trial Memorandum (Partially Stricken Per Minutes Order 12/20/2016)</i> |
| 12/07/2016 |  Order Shortening Time Filed By: Plaintiff Holmes, Capucine Yolanda <i>[63]</i> |
| 12/01/2016 |  Motion to Withdraw As Counsel Filed By: Attorney Kimble-Simms, Marsha <i>[62] Motion to Withdraw as Counsel of Record</i> |
| 11/29/2016 |  Notice of Rescheduling of Hearing Filed by: Plaintiff Holmes, Capucine Yolanda <i>[61]</i> |
| 10/26/2016 |  Trial Management Order <i>[60]</i> |
| 10/26/2016 |  Notice of Rescheduling of Hearing <i>[59]</i> |
| 10/26/2016 |  Notice of Hearing <i>[58]</i> |
| 10/19/2016 |  Notice of Motion Filed By: Defendant Holmes, Wilbert Roy <i>[57]</i> |
| 10/19/2016 |  Ex Parte Motion Filed by: Defendant Holmes, Wilbert Roy <i>[56] Ex Parte Motion for an Order Shortening Time</i> |
| 10/18/2016 |  Motion Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy <i>[55]</i> |
| 10/17/2016 |  Certificate of Service |

CASE SUMMARY

CASE NO. D-15-523582-D

| | |
|------------|---|
| | Filed by: Plaintiff Holmes, Capucine Yolanda [54] |
| 10/17/2016 |  Notice Filed By: Plaintiff Holmes, Capucine Yolanda [53] <i>Notice of Taking Evidentiary Hearing Off Calendar</i> |
| 10/11/2016 |  Trial Management Order Filed by: Plaintiff Holmes, Capucine Yolanda [52] |
| 10/11/2016 |  Application to Proceed in Forma Pauperis Filed By: Defendant Holmes, Wilbert Roy [51] <i>Application to Proceed in Forma Pauperis (Confidential)</i> |
| 10/10/2016 |  Order to Proceed In Forma Pauperis Filed By: Defendant Holmes, Wilbert Roy [50] <i>Order to Proceed in Forma Pauperis (Confidential)</i> |
| 10/06/2016 |  Trial Management Order [49] |
| 10/05/2016 |  Notice of Rescheduling of Hearing [48] <i>Notice of Rescheduling of Evidentiary Hearing</i> |
| 09/28/2016 |  Stricken Document Filed by: Defendant Holmes, Wilbert Roy [47] ***** <i>STRICKEN DOCUMENT PER JOURNAL ENTRIES DATED 10/04/16*****Complaint for Malicious Prosecution</i> |
| 09/23/2016 |  Order Denying Filed by: Plaintiff Holmes, Capucine Yolanda [46] <i>Order Denying Motion to Disqualify</i> |
| 09/02/2016 |  Certificate of Service Filed by: Plaintiff Holmes, Capucine Yolanda [45] |
| 08/31/2016 |  Subpoena Duces Tecum Filed by: Plaintiff Holmes, Capucine Yolanda [44] |
| 08/31/2016 |  Opposition to Motion Filed by: Plaintiff Holmes, Capucine Yolanda [43] <i>Opposition to Motion to Disqualify Judge Rena G. Hughes</i> |
| 08/31/2016 |  Certificate of Mailing Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy [42] |
| 08/18/2016 |  Notice of Motion Filed By: Defendant Holmes, Wilbert Roy [41] |
| 08/05/2016 |  Memorandum Filed By: Defendant Holmes, Wilbert Roy [40] <i>Defendant Wilbert Holmes Memorandum of Law in Support of Motion to Disqualify Judge Rena G. Hughes Under 28U.S.C.144</i> |
| 08/04/2016 |  Certificate of Mailing Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy [39] <i>Certificate</i> |


















CASE SUMMARY

CASE NO. D-15-523582-D

| | |
|------------|---|
| 08/03/2016 |  Proof of Service Filed By: Plaintiff Holmes, Capucine Yolanda Party Served: Defendant Holmes, Wilbert Roy [38] |
| 07/29/2016 |  Affidavit of Service Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy [37] |
| 07/26/2016 |  Order Shortening Time Filed By: Plaintiff Holmes, Capucine Yolanda [36] |
| 07/25/2016 |  Ex Parte Motion Filed by: Plaintiff Holmes, Capucine Yolanda [35] <i>Ex Parte Motion for an Order Shortening Time</i> |
| 07/22/2016 |  Motion to Amend Filed by: Plaintiff Holmes, Capucine Yolanda [34] <i>Motion to Amend the Pleadings, for an Order to Enforce and for an Order to Show Cause, and to Set Aside the Premarital Agreement</i> |
| 07/19/2016 |  Application to Proceed in Forma Pauperis Filed By: Defendant Holmes, Wilbert Roy [33] <i>Application to Proceed Informa Pauperis (Confidential)</i> |
| 07/18/2016 |  Notice of Motion Filed By: Defendant Holmes, Wilbert Roy [32] |
| 07/16/2016 |  Motion for Change of Venue Filed By: Defendant Holmes, Wilbert Roy [31] |
| 07/15/2016 |  Application to Proceed in Forma Pauperis Filed By: Defendant Holmes, Wilbert Roy [30] <i>Application to Proceed Informa Pauperis (Confidential)</i> |
| 07/12/2016 |  Interrogatories Filed By: Plaintiff Holmes, Capucine Yolanda [29] |
| 07/12/2016 |  Request Filed By: Plaintiff Holmes, Capucine Yolanda [28] <i>Request for Production of Documents</i> |
| 07/07/2016 |  Subpoena Duces Tecum Filed by: Plaintiff Holmes, Capucine Yolanda [27] |
| 06/29/2016 |  Ex Parte Motion Filed by: Defendant Holmes, Wilbert Roy [26] <i>Ex Parte Motion for an Order Shortening Time</i> |
| 05/26/2016 |  Reply to Counterclaim Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy [25] <i>Reply to Amended Answer and Counterclaim</i> |
| 05/17/2016 |  Notice of Entry of Order Filed By: Plaintiff Holmes, Capucine Yolanda [24] |
| 05/16/2016 | |








CASE SUMMARY

CASE NO. D-15-523582-D

| | |
|------------|--|
| |  Amended Answer Filed by: Defendant Holmes, Wilbert Roy <i>[23] Amended Answer and Counterclaim</i> |
| 05/16/2016 |  Order Filed By: Defendant Holmes, Wilbert Roy <i>[22] Order Regarding Hearing of April 6, 2016</i> |
| 05/16/2016 |  Notice of Entry of Order Filed By: Defendant Holmes, Wilbert Roy <i>[21] Notice of Entry of Order Re: Motion to Withdraw as Attorney of Record for Defendant</i> |
| 05/16/2016 |  Order to Withdraw as Attorney of Record Filed by: Defendant Holmes, Wilbert Roy <i>[20] Order Re: Motion to Withdraw as Attorney of Record for Defendant</i> |
| 04/18/2016 |  Certificate of Service Filed by: Defendant Holmes, Wilbert Roy <i>[19]</i> |
| 04/14/2016 |  Motion to Withdraw As Counsel Filed By: Defendant Holmes, Wilbert Roy <i>[18] Motion to Withdraw as Attorney of Record for Defendant</i> |
| 04/11/2016 |  Trial Management Order Filed by: Plaintiff Holmes, Capucine Yolanda <i>[17]</i> |
| 03/30/2016 |  Notice of Rescheduling of Hearing <i>[16]</i> |
| 03/16/2016 |  Financial Disclosure Form Filed by: Defendant Holmes, Wilbert Roy <i>[15] General Financial Disclosure Form (Confidential)</i> |
| 02/22/2016 |  Notice of Rescheduling of Hearing <i>[14]</i> |
| 02/18/2016 |  Notice Filed By: Defendant Holmes, Wilbert Roy <i>[13] Notice of Unavailability</i> |
| 02/18/2016 |  Substitution of Attorney Filed By: Defendant Holmes, Wilbert Roy <i>[12]</i> |
| 02/09/2016 |  Notice of Rescheduling of Hearing <i>[11]</i> |
| 02/08/2016 |  Subpoena Duces Tecum Filed by: Plaintiff Holmes, Capucine Yolanda <i>[10] Subpoena Duces Tecum for Business Records (No Appearance Required)</i> |
| 02/02/2016 |  Notice of Appearance Party: Defendant Holmes, Wilbert Roy <i>[9] Notice of Appearance and Request for Notice</i> |
| 01/05/2016 |  Financial Disclosure Form Filed by: Plaintiff Holmes, Capucine Yolanda <i>[8] General Financial Disclosure Form (Confidential)</i> |
| 12/30/2015 |  Notice of Case Management Conference <i>[7] Notice of NRCP 16.2 Case Management Conferences</i> |
| 12/23/2015 | |

CASE SUMMARY

CASE NO. D-15-523582-D

| | |
|------------|---|
| |  Reply to Counterclaim Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy [6] |
| 12/17/2015 |  Certificate of Service Filed by: Defendant Holmes, Wilbert Roy [5] |
| 12/07/2015 |  Answer and Counterclaim - Divorce, Annulment, Separate Maint Filed by: Defendant Holmes, Wilbert Roy For: Plaintiff Holmes, Capucine Yolanda [4] <i>Answer and Counterclaim for Divorce (No Children)</i> |
| 11/19/2015 |  Application to Proceed in Forma Pauperis Filed By: Defendant Holmes, Wilbert Roy [3] <i>Application to Proceed in Forma Pauperis (Confidential)</i> |
| 11/16/2015 |  Affidavit of Service Filed By: Plaintiff Holmes, Capucine Yolanda Party 2: Defendant Holmes, Wilbert Roy [2] |
| 11/05/2015 |  Complaint for Divorce [1] <i>Complaint for Divorce (No Children)</i> |
| | <u>DISPOSITIONS</u> |
| 12/13/2019 | Judgment (Judicial Officer: Hughes, Rena G.) Judgment (\$1,254.00, In Full , Attorney Fees) |
| 06/01/2017 | Judgment (Judicial Officer: Hughes, Rena G.) Judgment (\$100,862.73, In Full , Wilburt Roy Holmes shall pay Capucine Yolanda Holmes for her interest in the marital residence.) |
| | <u>HEARINGS</u> |
| 04/24/2023 | CANCELED Opposition & Countermotion (10:00 AM) (Judicial Officer: Almase, Heidi) <i>Vacated - per Order Plaintiff's Opposition To Defendants Motion For A Stay Pending 04/24/2023 Motion For Clarification Hearing, And Countermotion For Issuance Of An Order Making Judge Linda Bells May 18, 2020 Decision And Order In Case Nos. A-17-760443-C and A-19-790299-C Applicable To This Case, Or Alternatively Requiring Defendant to Appear And To Show Cause Why He Should Not Be Designated As A Vexatious Litigant In This Case</i> |
| 04/24/2023 | CANCELED Opposition (10:00 AM) (Judicial Officer: Almase, Heidi) <i>Vacated - per Order Plaintiff's Opposition to Defendant's Motion for Clarification</i> |
| 04/24/2023 | CANCELED Motion (10:00 AM) (Judicial Officer: Almase, Heidi) <i>Vacated - per Order Motion to Stay</i> |
| 04/24/2023 | CANCELED Motion (10:00 AM) (Judicial Officer: Almase, Heidi) <i>Vacated - per Order Wilbert R. Holmes Motion for Clarification</i> |
| 04/03/2023 | CANCELED Motion (10:00 AM) (Judicial Officer: Almase, Heidi) <i>Vacated - per Order Wilbert R. Holmes' Motion to Expunge Lien Recorded on the Residence Located at 10550 Patrington Court, Las Vegas, Nevada 89183</i> |
| 01/03/2023 |  Minute Order (7:45 AM) (Judicial Officer: Almase, Heidi) Minute Order - No Hearing Held; Journal Entry Details: <i>MINUTE ORDER NO HEARING HELD This Court exercises authority granted it pursuant to NRCPC 1 and EDCR 1.10 which provide district court dockets shall be administered to secure</i> |

CASE SUMMARY

CASE NO. D-15-523582-D

speedy, efficient and inexpensive determinations in every action. Having reviewed the papers and pleadings before it and, good cause appearing, this Court issues its findings and orders. On December 31, 2022 Defendant Wilbert (Wilbert) Roy Holmes filed a Motion for Clarification. The Court FINDS there is no caption page for this document but only a narrative with various exhibits attached. On January 1, 2023, Wilbert filed a Motion for Clarification of Unjust Divorce Decree, also without a caption page and in narrative format with exhibits attached. The Court FINDS there are no certificates of service attached or separately filed for either pleading. The Court FINDS neither document contains a request for hearing or for chambers review. The Court FINDS this matter is currently on appeal. See Holmes v. Holmes, Docket No. 84812 (NV-COA). Therefore, good cause appearing, the Court ORDERS Wilbert shall correct both filings to include caption pages indicating his request for a hearing or, alternatively, for chambers review (NO hearing requested). The Court ORDERS Wilbert shall have fourteen (14) days from entry of these minutes to make the ordered corrections to his December 31, 2022 and January 1, 2023 motions. Failure to timely make the ordered corrections will result in no hearing or other review of the pleadings being scheduled. Clerk s Note: A copy of today s minute order distributed accordingly. (01/03/2023 og);

08/04/2022 CANCELED Motion (10:00 AM) (Judicial Officer: Almase, Heidi)

Vacated - per Order

Motion for Relief from Judgment

08/03/2022 CANCELED Motion (3:00 AM) (Judicial Officer: Almase, Heidi)

Vacated - per Order

Motion and Notice of Motion to Withdraw As Counsel of record for Defendant

05/16/2022  Motion (10:00 AM) (Judicial Officer: Almase, Heidi)

Plaintiff's Motion for Order Requiring Defendant To Appear and Show Cause Why Defendant Should Not Be Held in Contempt and Motion for (1) an Order Compelling Defendant To Comply With Decree of Divorce; (2) an Order for the Immediate Sale of Marital Residence and That Defendant Cooperate With the Sale; (3) an Order Compelling Defendant to Deliver Keys to the Residence; and (4) for Plaintiff's Attorney Fees and Costs; and Related Relief

MINUTES

Matter Resolved;

Journal Entry Details:

PLAINTIFF'S MOTION FOR ORDER REQUIRING DEFENDANT TO APPEAR AND SHOW CAUSE WHY DEFENDANT SHOULD NOT BE HELD IN CONTEMPT AND MOTION FOR (1) AN ORDER COMPELLING DEFENDANT TO COMPLY WITH DECREE OF DIVORCE; (2) AN ORDER FOR THE IMMEDIATE SALE OF MARITAL RESIDENCE AND THAT DEFENDANT COOPERATE WITH THE SALE; (3) AN ORDER COMPELLING DEFENDANT TO DELIVER KEYS TO THE RESIDENCE; AND (4) FOR PLAINTIFF'S ATTORNEY FEES AND COSTS; AND RELATED RELIEF Upon Inquiry by the Court, Mr. Fontano requested that his client's presence be waived. Court noted a review of the pleadings and papers on file. Mr. Fontano represented that an offer was made on the marital residence, and the potential buyer could not pay off the liens on the home. Mr. Fontano noted that he would like Defendant to comply with the sale of the property as his client would like her share of the proceeds. Mr. Fontano expressed that Defendant has filed multiple appeals and deliberately avoided the deal to avoid paying off Plaintiff. The Court discussed the sale of property and the duration of the divorce proceedings. Mr. Fontano indicated that he filed an updated payoff list, and as long as escrow is in place, they would distribute the funds accordingly. Defendant argued that Mr. Fontano's fees are costly and requested a full accounting of the fees. Defendant noted that the house is pending sale. Defendant provided additional statements. COURT NOTED that a previous request for an Order to Show Cause (OSC) was granted on April 7th and was served by Notice of Entry Order. Today, the OSC is not scheduled for a hearing. Upon Inquiry, Mr. Fontano confirmed that the court-ordered Defendant's appearance for today' satisfies that. Court inquired if Mr. Fontano is requesting additional attorney's fees. Mr. Fontano stated that he would not be submitting another request for attorney's fees. Further discussion. Court stated its FINDINGS and COURT ORDERED as follows, ORDER TO SHOW CAUSE, Court confirmed that Defendant appeared for today. The request for All FEES and COSTS related to the sale of the marital residence shall be GRANTED, reduced to judgment collectible by any means. Plaintiff's list of Personal Property in the sum of \$42,440.00 for listed personal property as supplemental EXHIBIT A shall be GRANTED. Defendant shall execute all CLOSING DOCUMENTS. Mr. Fontano to prepare the order for today's hearing.;

02/28/2022 CANCELED Motion (9:00 AM) (Judicial Officer: Almase, Heidi)

Vacated

Motion for A Stay Pending Appeal

CASE SUMMARY**CASE NO. D-15-523582-D**

02/23/2022

Motion (3:00 AM) (Judicial Officer: Almase, Heidi)*Wilbert R. Holmes Motion for Stay Pending Appeal*

01/12/2022

**Minute Order** (1:00 PM) (Judicial Officer: Almase, Heidi)

Minute Order - No Hearing Held;

Journal Entry Details:

MINUTE ORDER - NO HEARING HELD - NO APPEARANCES This Court exercises authority granted it pursuant to NRCP 1 and EDCR 1.10 which provide district court dockets shall be administered to secure speedy, efficient and inexpensive determinations in every action. Having reviewed the papers and pleadings before it and, good cause appearing, this Court issues its findings and orders. On January 11, 2022 Defendant Wilbert (Wilbert) Roy Holmes filed a second Motion for Stay Pending Appeal following this Court's January 11, 2021 minutes vacating his January 9, 2022 Motion for Stay Pending Appeal due to service defect. See January 11, 2022 Minutes. In support of his renewed Motion for Stay, Wilbert filed an Ex parte Application for Order Shortening Time (OST). In support of his request, signed under penalty of perjury, Wilbert argued an OST was warranted due to "[a] time sensitive date of January 17 is pending for a stay for a Supreme Ct [sic] Appeal Decision." The Court FINDS no further information is provided in the Ex parte Application or in Wilbert's January 11, 2022 Motion for Stay. The Court FINDS there are ten (10) appeals associated with this matter and Nevada Supreme Court case number 83229 appears to be the only open case of the ten associated appeals. The Court FINDS, a review of Hughes v. Holmes, case number 83229 (Nevada Supreme Court), indicates no matter pending decision and/or due date of January 17 as alleged by Wilbert. The Court FINDS the docket for case number 83229 last lists a January 11, 2022 Case Update Status indicating "Briefing Completed/Submitted for Decision/To Screening". Thus, absent any other information in Wilbert's January 11, 2022 Motion for Stay or his Ex parte Application, the Court FINDS Wilbert's "time sensitive" assertion inaccurate if not outright false. Accordingly, good cause appearing, the Court ORDERS and denies Wilbert's Ex parte Application for Order Shortening Time. The Court anticipates the Clerk of the Court will issue a Notice of Hearing for Wilbert's January 11, 2022 Motion for Stay Pending Appeal which will schedule the motion for hearing in ordinary course. CLERK'S NOTE: On 01/12/2022 a copy of the Court's Minute Order was provided to Defendant and to Plaintiff's Attorney of record via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (qm);

01/11/2022

**Minute Order** (1:00 PM) (Judicial Officer: Almase, Heidi)

Minute Order - No Hearing Held;

Journal Entry Details:

MINUTE ORDER - NO HEARING HELD - NO APPEARANCES This Court exercises authority granted it pursuant to NRCP 1 and EDCR 1.10 which provide district court dockets shall be administered to secure speedy, efficient and inexpensive determinations in every action. Having reviewed the papers and pleadings before it and, good cause appearing, this Court issues its findings and orders. On January 9, 2022 Defendant Wilbert (Wilbert) Roy Holmes filed a Motion for Stay Pending Appeal (Nevada Supreme Court docket number 83229). Attached to the pleading was a Certificate of Service to Plaintiff Capucine (Capucine) Yolanda Holmes' attorney of record, James Fontano. The Court FINDS the attached Certificate of Service lists service to attorney Fontano at 3890 S. Nellis Blvd., Las Vegas, NV 89121. The Court FINDS the listed address is not attorney Fontano's court-listed address: 5135 Camino El Norte, St. 273, N. Las Vegas, NV 89031. The Court further FINDS Wilbert failed to address any of the mandatory stay factors set forth in NRAP 8(c). Therefore, good cause appearing, the Court ORDERS the February 28, 2022 hearing on Defendant's January 9, 2022 Motion for Stay Pending Appeal VACATED for lack of proper service. In the event Wilbert elects to re-file and/or re-notice his Motion for Stay, he shall file a Certificate of Service to attorney Fontano's court-listed address. CLERK'S NOTE: On 01/11/2022 a copy of the Court's Minute Order was provided to each Attorney via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (qm);

01/10/2022

**Minute Order** (1:00 PM) (Judicial Officer: Almase, Heidi)

Minute Order - No Hearing Held;

Journal Entry Details:

MINUTE ORDER - NO HEARING HELD - NO APPEARANCES This Court exercises authority granted it pursuant to NRCP 1 and EDCR 1.10 which provide district court dockets shall be administered to secure speedy, efficient and inexpensive determinations in every action. Having reviewed the papers and pleadings before it and, good cause appearing, this Court issues its findings and orders. On January 5, 2022 Defendant Wilbert (Wilbert) Roy

CASE SUMMARY

CASE NO. D-15-523582-D

Holmes filed an "Acknowledgment of Important Relevant Information". The Court FINDS the document is not in motion format, requests no relief from the Court and does not contain or have a separately filed Certificate of Service to Plaintiff Capucine (Capucine) Yolanda Holmes or her counsel of record James A. Fontano. No responsive pleading has been filed. The Court FINDS Wilbert's document appears to allege various acts of personal misconduct by Capucine and/or the Court. The Court FINDS some of the allegations related to Capucine are sexual in nature. Because no request for relief is made in Wilbert's January 5, 2022 filing and, good cause appearing, the Court ORDERS Defendant's January 5, 2022 "Acknowledgment of Important Relevant Information" STRICKEN. CLERK'S NOTE: On 01/10/2022 a copy of the Court's Minute Order was provided to each Attorney via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (qm);

11/09/2021

 **All Pending Motions** (10:00 AM) (Judicial Officer: Almase, Heidi)

Matter Heard;

Journal Entry Details:

OPPOSITION: OPPOSITION TO MOTION TO STAY AUGUST 10, 2021 ORDER FOR SANCTIONS PENDING APPEAL... MOTION: MOTION TO STAY AUGUST 10, 2021 ORDER FOR SANCTIONS PENDING APPEAL In the interest of public safety due to the Coronavirus pandemic, all parties were present via VIDEO CONFERENCE through the BlueJeans application. Plaintiff, Capucine Holmes, was not present. Mr. Reeves informed the Court that he had been discharged by Mr. Holmes and would be filing a notice of withdrawal. Upon inquiry of the Court, Mr. Reeves stated his law firm had been retained so he would have to file a motion to withdraw. Upon the matter being called, the COURT NOTED papers and pleadings on file. The Court noted the appeal had been dismissed and the case had been closed. Mr. Reeves stated the Court was correct and argued the motion was moot at this time. Mr. Fontano requested that the Court direct Defendant to produce the key to the community residence as ordered by the Court. Mr. Reeves informed the Court that there was a sale offer pending for the community residence. Mr. Reeves represented the sale of the house could resolve the entire matter. Mr. Fontano stated Plaintiff would entertain an offer from Defendant regarding the community residence. COURT ORDERED the following: 1. The Motion to Stay SHALL be taken off calendar as MOOT. 2. The Court FINDS that the underlying appeal which the motion was based on was DISMISSED on 11/02/2021. CLERK'S NOTE: On 11/23/2021 a copy of the Court's Minute Order was provided to each Attorney via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (qm);

11/09/2021

Opposition (10:00 AM) (Judicial Officer: Almase, Heidi)

Opposition to Motion to Stay August 10, 2021 Order for Sanctions Pending Appeal

Matter Heard; See All Pending Motions 11/09/2021

11/09/2021

Motion (10:00 AM) (Judicial Officer: Almase, Heidi)

Motion To Stay August 10, 2021 Order for Sanctions Pending Appeal

Matter Heard; See All Pending Motions 11/09/2021

07/29/2021

 **All Pending Motions** (10:00 AM) (Judicial Officer: Almase, Heidi)

Matter Heard;

Journal Entry Details:

MOTION: MOTION FOR SANCTIONS PURSUANT TO NRCP 11... MOTION: MOTION TO REVERSE/DROP WITHDRAWAL OF MOTION FOR REQUEST FOR ORDER TO REVERSE PROPERTY SETTLEMENT... MOTION: MOTION FOR REQUEST FOR ORDER TO REVISE PROPERTY SETTLEMENT In the interest of public safety due to the Coronavirus pandemic, Plaintiff's counsel was present via VIDEO CONFERENCE through the BlueJeans application. Plaintiff's appearance was WAIVED and Defendant, Wilbert Holmes, failed to appear. Court reviewed the record and noted the pleadings on file. Upon inquiry of the Court, Mr. Fontano, counsel for Plaintiff, Capucine Holmes, stated Defendant filed a Motion to Withdraw which caused Mr. Fontano not to file his Motion for Sanctions. Mr. Fontano then stated another motion was filed by Defendant reversing his withdrawal of his motion which caused Mr. Fontano to file the Motion for Sanctions. Upon inquiry of the Court, Mr. Fontano requested attorney's fees for his client. The Court referenced the Order from 02/04/2020 which authorized Plaintiff to obtain a key to the parties' property in order to enter the property and list it for sale. Upon inquiry of the Court, Mr. Fontano affirmed this was the Court's order. COURT stated its FINDINGS and ORDERED the following: 1. Plaintiff's Request to Enforce the 02/04/2020 Order is hereby GRANTED. 2. ATTORNEY'S FEES: The Court directed counsel to submit a Brunzell Affidavit and Memorandum of Fees and Costs leaving a blank in the order for the Court to enter an amount. Said amount shall be REDUCED to JUDGMENT collectable by any legal means bearing the legal rate of interest until paid in full. 3. Mr.

CASE SUMMARY


CASE NO. D-15-523582-D

Fontano shall prepare the order and submit to the Court for signature. CLERK'S NOTE: On 07/30/2021 a copy of the Court's Minute Order was provided to Defendant and to Plaintiff's Attorney of record via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (qm);


07/29/2021 **Motion** (10:00 AM) (Judicial Officer: Almase, Heidi)
Motion For Sanctions Pursuant To NRCP 11
 Matter Heard; See All Pending Motions 07/29/2021

07/29/2021 **Motion** (10:00 AM) (Judicial Officer: Almase, Heidi)
Motion for Request for Order to Revise Property Settlement
 Matter Heard; See All Pending Motions 07/29/2021

07/29/2021 **Motion** (10:00 AM) (Judicial Officer: Almase, Heidi)
Motion to Reverse/Drop Withdrawal of Motion for Request for Order to Reverse Property Settlement
 Matter Heard; See All Pending Motions 07/29/2021

07/27/2021  **Minute Order** (2:00 PM) (Judicial Officer: Almase, Heidi)
 Minute Order - No Hearing Held;
 Journal Entry Details:
MINUTE ORDER - NO HEARING HELD - NO APPEARANCES This matter is scheduled for Chambers review on July 28, 2021 on Defendant Wilbert R. Holmes May 24, 2021 Motion to Reverse/Drop/Withdrawal of Motion for Request for Order to Revise Property Settlement [sic]. This Court exercises authority granted it pursuant to NRCP 1 and EDCR 1.10 which provide district court dockets shall be administered to secure speedy, efficient and inexpensive determinations in every action. On June 9, 2021, this Court filed a written order resolving Defendant's May 24, 2021 Motion to Reverse et al. See Order at p.3, ll.9-11 and p.6, ll.8-11 (filed June 9, 2021). Accordingly, it appears to this Court, the above-listed matter was left on calendar in ERROR. Therefore, the Court ORDERS the July 28, 2021 chambers matter VACATED. CLERK S NOTE: On 07/27/2021 a copy of the Court's Minute Order was provided to Defendant and to Plaintiff's Attorney of record via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (qm);

06/09/2021 **Motion** (3:00 AM) (Judicial Officer: Almase, Heidi)
DEFENDANT'S MOTION TO WITHDRAW: MOTION FOR REQUEST FOR ORDER TO REVISE PROPERTY SETTLEMENT

04/28/2021  **Minute Order** (3:45 PM) (Judicial Officer: Butler, Dee Smart)
 Minute Order - No Hearing Held;
 Journal Entry Details:
MINUTE ORDER - NO HEARING HELD Case No. D-15-523582-D Capucine Yolanda Holmes, Plaintiff vs. Wilbert Roy Holmes, Defendant Pursuant to NRCP 1 and EDCR 1.10, the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. NCJC 2.11(A)(1) states: (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. COURT FINDS that Plaintiff Capucine "Cap" Yolanda Holmes is a personal friend and the court desires to continue and maintain the personal friendship. The Honorable Dee Butler has a personal bias concerning Ms. Holmes and would like to see a favorable outcome for her. The COURT FINDS that her impartiality might be reasonably questioned due to the personal friendship. NOW THEREFORE, IT IS HEREBY ORDERED that to avoid the appearance of impropriety and implied bias, the Court shall disqualify itself. IT IS FURTHER ORDERED that the Clerk of Court shall randomly reassign the matter to another department. IT IS FURTHER ORDERED that the Court Clerk shall provide a copy of this Minute Order to all parties. CLERK'S NOTE: On 4/28/2021 a copy of the Court's Minute Order was provided to each Attorney or Parties via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (ajr);

04/28/2021 **Hearing** (3:00 AM) (Judicial Officer: Butler, Dee Smart)
REPLY MEMORANDUM IN SUPPORT OF MOTION TO INTERVENE

04/28/2021 **Opposition** (3:00 AM) (Judicial Officer: Butler, Dee Smart)
Plaintiff's Opposition to Motion to Intervene


04/28/2021 **Opposition** (3:00 AM) (Judicial Officer: Butler, Dee Smart)
Plaintiff's Opposition to Motion for Request for Order to Revise Property Settlement

CASE SUMMARY

CASE NO. D-15-523582-D

04/28/2021 **Motion** (3:00 AM) (Judicial Officer: Butler, Dee Smart)
Motion to Intervene with Exparte Motion for Order Shortening Time

04/28/2021 **Motion** (3:00 AM) (Judicial Officer: Butler, Dee Smart)
Defendant's Motion Request for Order to Revise Property Settlement

12/16/2019  **All Pending Motions** (2:30 PM) (Judicial Officer: Hughes, Rena G.)

MINUTES


Matter Heard;

Journal Entry Details:

PLTF'S MOTION FOR ORDER TO SHOW CAUSE WHY DEFT SHOULD NOT BE HELD IN CONTEMPT TO COMPEL COMPLIANCE WITH DECREE OF DIVORCE, AND FOR AWARD O ATTY'S FEES AND COSTS...PLTF'S ORDER TO SHOW CAUSE Court addressed, last Friday the department received Defendant's ex parte motion to continue this hearing. Counsel stated Defendant e served him and counsel did see it. Court stated it is not supported, by any medical records that say he could not be present, today. Court reviewed the documents that were filed, with the motion. A proper motion was not filed, or proof that Defendant is in the hospital. Court reviewed page 9, of the divorce decree. COURT FOUND, Defendant should have been present today or filed the proper motion to give the court some basis for the allegations that he has made about being in the hospital. Counsel stated he is seeking an order to be able control the sale of the property. It is counsel's understanding, Defendant has moved out of the house and is renting it as a short term rental through AirBnB. Court reviewed page 9, of the divorce decree, regarding if Defendant failed to pay Plaintiff her equity, in the home. COURT ORDERED: 1. It shall be JUST and REASONABLE to AWARD ATTORNEY'S FEES, for today. Counsel shall FILE a MEMORANDUM of FEES and COSTS, together with the BRUNZELL AFFIDAVIT. 2. Plaintiff's MOTION shall be GRANTED. 3. The PROVISION, in the DIVORCE DECREE, regarding Plaintiff being ENTITLED to ENFORCE the SALE of the PROPERTY, to OBTAIN her EQUITY SHARE (\$100,862.73) in the property and ATTORNEY'S FEES shall be GRANTED. Attorney Fontano to prepare an Order, from today's hearing.;

12/16/2019 **Order to Show Cause** (2:30 PM) (Judicial Officer: Hughes, Rena G.)
Plaintiff's Order to Show Cause
 Decision Made;

12/16/2019 **Motion** (2:30 PM) (Judicial Officer: Hughes, Rena G.)
 Events: 11/08/2019 Motion for Order to Show Cause
Plaintiff's Motion for Order to Show Cause why Defendant Should not be Held in Contempt. to Compel Compliance with Decree of Divorce, and for Award of Attorney's Fees and Costs
 Granted;

10/29/2019  **All Pending Motions** (1:30 PM) (Judicial Officer: Hughes, Rena G.)

MINUTES

Matter Heard;




Journal Entry Details:

OPPOSITION TO MOTION FOR REHEARING...DEFT'S RE NOTICE OF MOTION FOR REHEARING Defendant appeared TELEPHONICALLY. Court inquired if the request for a rehearing is for the final decree, which Defendant said yes. Defendant stated there was an item that has not been recognized, on his behalf, in the divorce. Court discussed, the matter was taken up to the Court of Appeals and is on appeal; therefore, this Court no longer has jurisdiction. Defendant stated he was informed the matter was sent back to District Court, to make a decision. Court reviewed the case file. Further, addressed the matter was appealed and has been confirmed. Defendant discussed Plaintiff signed off on a quick claim deed and signed off on any property rights. Defendant does not understand how Plaintiff can be awarded any equity in the property, when she has no rights to it. Plaintiff had to sign off before the house could be put under the Senior Citizen Home Equity Program. Defendant stated his argument is Plaintiff signed legal documents that Plaintiff does not have any equity then, or in the future, on that property. Court addressed, it was recognized Defendant was the only title holder, at the time of trial and the Court heard evidence and testimony. Further, Plaintiff signed the quick claim deed because it was necessary for Defendant to be able to refinance the residence and get equity out of the property. Court reviewed the trial notes. COURT FOUND, the motion is legally deficient, has no legal or factual basis, it has been appealed and affirmed, by the Supreme Court. COURT ORDERED: 1. As Defendant's MOTION is LEGALLY DEFICIENT the MOTION shall be DENIED. 2. Attorney Fontano shall FILE a MEMORANDUM of FEES and COSTS, for THIS HEARING, which INCLUDES the BRUNZELL FACTORS, within the next 10 days. Upon RECEIPT, Defendant shall have 10 days to FILE a RESPONSE.

CASE SUMMARY

CASE NO. D-15-523582-D

COURTESY COPIES shall be PROVIDED, to the DEPARTMENT. Attorney Fontano to prepare an Order, from today's hearing. CASE CLOSED. Clerk's note, as Defendant was being disruptive and over talking the Court, the Court lowered the volume of Defendant speaking, so the Court could make findings and the order, without interruptions.;

- 10/29/2019 **Opposition** (1:30 PM) (Judicial Officer: Hughes, Rena G.)
Events: 10/21/2019 Opposition to Motion
Opposition to Motion for Rehearing.....Wilbert Homes to appear by phone his number is 702.281.5752.
Decision Made;
- 10/29/2019 **Motion** (1:30 PM) (Judicial Officer: Hughes, Rena G.)
Events: 09/25/2019 Re-Notice of Motion
Defendant's Re-Notice of Motion Motion for Rehearing
Denied;
- 09/24/2019 **CANCELED Motion** (10:00 AM) (Judicial Officer: Hughes, Rena G.)
Vacated
Defendant's Motion for Rehearing
- 09/24/2019 **CANCELED Motion** (10:00 AM) (Judicial Officer: Hughes, Rena G.)
Vacated
Motion for Rehearing
- 09/17/2019  **Minute Order** (4:00 PM) (Judicial Officer: Hughes, Rena G.)
Minute Order - No Hearing Held;
Journal Entry Details:
Minute Order D-15-523582-D Holmes v Holmes NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.501(b), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed. This Court has read and considered the current underlying pleadings in this matter. On August 19, 2019 Defendant filed a Motion for Rehearing. On August 20, 2019 Defendant filed an Amended Motion for Rehearing. Defendant filed a Certificate of Service indicating he had the Motions electronically served on August 16, 2019. As Defendant s Motions were not e-filed until August 20, 2019, Defendant s claimed date of service is deficient. Therefore the Motion hearing scheduled for September 24, 2019 is hereby vacated. Defendant may re-notice his Motion through the Clerk s Office to set this matter back on calendar. Case closed. Clerk's note, a copy, of today's minute order was mailed, to Defendant and counsel, at the addresses, on file.;
- 06/29/2018  **Motion to Disqualify Judge** (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
Events: 06/18/2018 Motion to Disqualify Judge
Defendant's Motion to Disqualify Judge
- MINUTES**
-  **Motion to Disqualify Judge**
Filed by: Defendant Holmes, Wilbert Roy
[133] Motion to Disqualify
Denied; Denied without prejudice.
Journal Entry Details:
The Court has reviewed the latest Motion to Disqualify filed by Defendant in this matter. As the Motion was not served upon the Judge, the matter is DENIED WITHOUT PREJUDICE to refile and serve in accordance with NRS 1.235(4). CLERK'S NOTE: A copy of this minute order was mailed to: Wilbert Holmes 10550 Patrington Ct. Las Vegas, NV 89183 Defendant in Pro Se Capucine Holmes 637 Twilight Blue Avenue North Las Vegas, NV 89032 Plaintiff James A. Fontano, Esq. 5135 Camino al Norte, Suite 273 North Las Vegas, NV 89031 Counsel for Plaintiff/ dr;
- 11/29/2017 **CANCELED Order to Show Cause** (10:00 AM) (Judicial Officer: Hughes, Rena G.)
Vacated - per Law Clerk
- 11/29/2017 **CANCELED Motion for Order to Show Cause** (10:00 AM) (Judicial Officer: Hughes, Rena G.)
Vacated - per Law Clerk
Motion For Order To Show Cause Why Defendant Should Not Be Found In Contempt, To Compel Compliance With Decree Of Divorce, And For Award OF Attorney's Fees adn Cost's
- 11/29/2017 **CANCELED Motion** (10:00 AM) (Judicial Officer: Hughes, Rena G.)


CASE SUMMARY

CASE NO. D-15-523582-D

Vacated - per Law Clerk

Def't's Motion and Notice of Motion for Orders to Set Aside Order, Judgment, and/or Default

11/28/2017


 **Minute Order** (2:00 PM) (Judicial Officer: Hughes, Rena G.)

Minute Order - No Hearing Held;

Journal Entry Details:

MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES This matter having come before the Court on Plaintiff's Motion for an Order to Show Cause Why Defendant Should Not Be Held in Contempt, to Compel Compliance with Decree of Divorce, and for Award of Attorney's Fees and Costs filed on October 11, 2017 and on Plaintiff's Order to Show Cause, signed by the Court on October 18, 2017 and filed on October 20, 2017, set to be heard by the Court on November 29, 2017. The Court finds that pursuant to NRCP 1 and EDCR 1.10, the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. The Court finds that subsequent to the Court signing off on Plaintiff's Order to Show Cause, the Court was unaware that the case was under appeal, as Defendant had erroneously filed a Notice of Appeal and a Case Appeal Statement under the District Court caption. The case was therefore not flagged as a case under appeal. The Court was only notified that the case was under appeal when a Notice of Transfer to Court of Appeals was filed on October 19, 2017. The Court finds that a notice of appeal divests this Court of jurisdiction to act and vests the jurisdiction in the appellate court. Rust v. Clark Cty. School District, 103 Nev. 686, 688, 747 P.2d 1380, 1382 (1987). As this case was appealed to the Court of Appeals and the District Court no longer has jurisdiction to hear this matter, the Court is hereby vacating the Order to Show Cause hearing and Plaintiff's Motion without prejudice. The hearing set on November 29, 2017 is hereby vacated. Minute Order to suffice. JEA to mail/fax a copy of this Minute Order to the parties and/or their respective counsel. ;

11/20/2017

 **Minute Order** (1:30 PM) (Judicial Officer: Hughes, Rena G.)

Minute Order - No Hearing Held;

Journal Entry Details:

MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.501(b), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed. This Court has read and considered the current underlying pleadings in this matter. The Defendant has failed to comply with EDCR 5.206 by failing to file proof of service for the Motion he filed on September 25, 2017. Therefore, Defendant's Motion for Orders to Set Aside Order, Judgment, and/or Default scheduled for November 29, 2017, is taken off calendar for failure to serve. Plaintiff's Motion for an Order to Show Cause and the Order to Show Cause hearing, scheduled for November 29, 2017, shall remain on calendar. Clerk's note, a copy, of today's minute order, was mailed, to the Defendant, at the address, on file and placed, in counsel's folder, at Family Court.;

11/08/2017

CANCELED Motion (11:00 AM) (Judicial Officer: Hughes, Rena G.)

Vacated

Def't's Ex Parte Motion to Stay


11/03/2017

Motion to Disqualify Judge (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Events: 09/25/2017 Notice of Motion

Def't Wilbert Holmes' Memorandum of Law in Support of Motion to Disqualify Judge Rena G. Hughes Under 28 U.S.C. 144

MINUTES

 Notice of Motion

Filed By: Defendant Holmes, Wilbert Roy


[110]

Denied;

Journal Entry Details:

See order denying motion to disqualify.;

10/03/2017

 **Minute Order** (3:39 PM) (Judicial Officer: Gonzalez, Elizabeth)

Minute Order re: Ex Parte Motion for OST for the Motion to Disqualify Judge Rena G. Hughes

Minute Order - No Hearing Held;

Journal Entry Details:


The Court reviewed the Ex Parte Motion for Order Shortening Time (OST) submitted for the

CASE SUMMARY


CASE NO. D-15-523582-D

Motion to Disqualify Judge filed 9/1/9/17. As it does not appear that the Motion or Amended Motion has been served on the judge as required by NRS 1.235(4) the Ex parte Motion is DENIED WITHOUT PREJUDICE. CLERK'S NOTE: A copy of this minute order was distributed to: Wilbert R. Holmes 10550 Pattrington Ct. Las Vegas, NV 89183 / dr 10-4-17;

08/23/2017

 **Motion to Stay** (11:00 AM) (Judicial Officer: Hughes, Rena G.)
Events: 07/18/2017 Motion to Stay
Def't's Motion to Stay

MINUTES


 Motion to Stay
Filed by: Defendant Holmes, Wilbert Roy
[107]

Minute Order - No Hearing Held;


Journal Entry Details:

Per Judge Hughes NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.501(b), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed. This matter came on for hearing on the Court's in chambers calendar on August 23, 2017 for Defendant's Motion to Stay. This Court has read and considered the current underlying pleadings in this matter. Defendant has filed an Appeal of the final Decree of Divorce in this matter and applied to the District Court for a stay of the Decree of Divorce pending the appeal. Defendant's Motion for Stay is devoid of legal authorities and any factual basis. Any motion filed without points and authorities is subject to being denied pursuant to EDCR 2.20(c). A party filing a motion must also serve and file with it a memorandum of points and authorities in support of each ground thereof. The absence of such memorandum may be construed as an admission that the motion is not meritorious, as cause for its denial or as a waiver of all grounds not so supported. Further, Defendant has not filed a supersedeas bond. Defendant's Motion to Stay is therefore denied. NRCP 62 (d) Stay Upon Appeal. When an appeal is taken the appellant by giving a supersedeas bond may obtain a stay subject to the exceptions contained in subdivision (a) of this rule. The bond may be given at or after the time of filing the notice of appeal. The stay is effective when the supersedeas bond is filed. Clerk's note, a copy, of today's minute order, was mailed to the Parties, at the addresses, on file.;

04/05/2017

 **Motion** (11:00 AM) (Judicial Officer: Hughes, Rena G.)
Events: 02/05/2017 Motion to Enforce
DEFENDANT'S MOTION TO ENFORCE/SHOW CAUS

MINUTES

 Motion to Enforce
Filed by: Defendant Holmes, Wilbert Roy
[89] Motion and Notice of Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt

Decision Made;


Journal Entry Details:

Clerk's note, matter was on the IN CHAMBERS calendar and a hearing was not heard. However, a DECISION was made, on the PLEADINGS, with the ORDER, FILED 4/6/17.;


04/04/2017

CANCELED Calendar Call (11:00 AM) (Judicial Officer: Hughes, Rena G.)
Vacated - per Secretary
Stack #2

01/10/2017

 **Evidentiary Hearing** (1:30 PM) (Judicial Officer: Hughes, Rena G.)
01/10/2017, 01/18/2017
Events: 10/05/2016 Notice of Rescheduling of Hearing
DAY 2 - Finances / equity in marital residence

MINUTES

 Notice of Rescheduling of Hearing
[48] Notice of Rescheduling of Evidentiary Hearing
Due to stacking
reset to 4/18/17. New TMO will be sent by JEA

CASE SUMMARY

CASE NO. D-15-523582-D

Stack #5

Matter Continued;

Under Advisement;

Journal Entry Details:

Court noted both parties filed an Amended Pretrial Memorandum with additional exhibits. Testimony and exhibits presented (see worksheets). COURT ORDERED, matter is taken UNDER ADVISEMENT. As the Court is unable to make a DECISION at this time, Ms. Kimble-Simms shall obtain the closing documents from the title company on the home when it was purchased in 1999 and file it with the Court; she may prepare an Order for the Court to sign should a subpoena not be sufficient. Ms. Kimble-Simms shall prepare the Order from today's hearing. Clerk's Note: After the hearing, COURT ORDERED, Defendant is to make Plaintiff's personal items in the home available for her to pick up within 10 days of today's date. (ag);

MINUTES



Notice of Rescheduling of Hearing

[48] Notice of Rescheduling of Evidentiary Hearing

Due to stacking

reset to 4/18/17. New TMO will be sent by JEA

Stack #5

Matter Continued;

Under Advisement;

Journal Entry Details:

HOUSEKEEPING ISSUES. Review of issues and the pre marital agreement. Witness's sworn and testified. Court heard testimony, from Plaintiff and Wendell Snow. Exhibits offered and admitted. See exhibit worksheet. Court addressed, exhibit C1 is an appraisal, for 2002, however, an appraisal, for 2001 was requested. Due to TIME RESTRICTIONS, COURT ORDERED, matter CONTINUED, to 1/18/17. ;

12/20/2016



All Pending Motions (11:00 AM) (Judicial Officer: Hughes, Rena G.)

Matter Heard;

Journal Entry Details:

DEFT'S MOTION FOR MALICIOUS PROSECUTION...CALENDAR CALL...STATUS CHECK...MOTION TO WITHDRAW AS COUNSEL OF RECORD PER OST Court discussed Defendant's notice of motion failed to provide points or authorities, and a proper motion was not filed. Further, Plaintiff has not filed a pre trial memorandum. Court addressed counsel's motion to withdraw was not served; therefore, can not be heard, today. Discussion regarding not having the entire pre nuptial agreement, from Michigan, appraisals of the residence and the length of time the case has been ongoing. Court reviewed the pre nuptial agreement, which was filed, with the Court. Court noted, there is enough information, in the pre nuptial to apply the laws, of Michigan, to the document. Counsel stated she does not feel comfortable moving forward, with the trial, with the documents she has, as they are not complete. Further, counsel has attempted to retrieve a copy of the full document, however has been able to, due to needing Defendant's authorization. COURT stated FINDINGS and ORDERED: 1. Defendant's MOTION shall be DENIED. 2. As Defendant FILED his EXHIBITS, in his PRE TRIAL MEMORANDUM (12/11/16), EXHIBITS B and C shall be STRICKEN. 3. EVIDENTIARY HEARING STANDS. ;

12/20/2016

Motion (11:00 AM) (Judicial Officer: Hughes, Rena G.)

Events: 12/01/2016 Motion to Withdraw As Counsel

Motion to Withdraw as Counsel of Record per OST

Off Calendar;

12/20/2016

Calendar Call (11:00 AM) (Judicial Officer: Hughes, Rena G.)

Events: 11/29/2016 Notice of Rescheduling of Hearing

Stack #5

Matter Heard;

12/20/2016

Status Check (11:00 AM) (Judicial Officer: Hughes, Rena G.)

Events: 10/26/2016 Notice of Hearing

Matter Heard;

12/20/2016

Motion (11:00 AM) (Judicial Officer: Hughes, Rena G.)

Events: 10/19/2016 Notice of Motion

Def't's Motion for Malicious Prosecution

Denied;

12/15/2016


CANCELED Evidentiary Hearing (10:00 AM) (Judicial Officer: Hughes, Rena G.)

CASE SUMMARY**CASE NO. D-15-523582-D**

Vacated - per Attorney or Pro Per

Validity of Pre nuptial agreement - per Judge one hour

10/11/2016


 **Minute Order** (10:00 AM) (Judicial Officer: Hughes, Rena G.)

Minute Order - No Hearing Held;

Journal Entry Details:


-PER JUDGE NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.11(e), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed. At the April 6, 2016 Case Management Conference hearing, the Court set the matter for an Evidentiary Hearing regarding finances and equity in the marital residence. The Court Ordered a marital appraisal be prepared by Scott Dugan, for the prenuptial agreement to govern the division of property, for discovery to open, for the exchange of documents to be voluntarily completed pursuant to 16.2, and for counsel to amend the pleadings to include the tort claim and the community waste claim within the next 30 days. The Evidentiary Hearing was scheduled for October 12, 2016. Subsequent to the April 6, 2016 hearing, Plaintiff filed a Motion to Amend the Pleadings, for an Order to Enforce and for an Order to Show Cause and to Set Aside the Premarital Agreement. At the Motion hearing on October 4, 2016, the Court granted Plaintiff's request to amend the complaint to include the tort and community waste claim. The Court set an Evidentiary Hearing on the validity of the prenuptial agreement. The Evidentiary Hearing was scheduled for December 15, 2016. This Court has read and considered the current underlying pleadings in this matter. As the prenuptial agreement controls the marital estate and the validity of the prenuptial agreement is being contested, the Court is hereby continuing the Evidentiary Hearing re: finances and equity in the marital estate from October 12, 2016 to April 18, 2017. The Court will first hear the Evidentiary Hearing re: the validity of the prenuptial agreement, on December 15, 2016. Thereafter the Court will address the Evidentiary Hearing regarding the finances and the equity in the marital residence. Clerk's note, a copy of today's minute order, was mailed to Defendant, at the address on file and placed in Attorney's folder, at Family Court. ;

10/04/2016

 **Motion** (10:00 AM) (Judicial Officer: Hughes, Rena G.)

Events: 07/22/2016 Motion to Amend

Pltf's Motion to Amend the Pleadings, For An Order to Enforce and for An Order to Show Cause, and to Set Aside the Premarital Agreement per OST

MINUTES Motion to Amend

Filed by: Plaintiff Holmes, Capucine Yolanda

[34] Motion to Amend the Pleadings, for an Order to Enforce and for an Order to Show Cause, and to Set Aside the Premarital Agreement

JEA


for the OST. rescheduled back to original date

Evidentiary Hearing;

Journal Entry Details:

PLTF'S MOTION TO AMEND THE PLEADINGS, FOR AN ORDER TO ENFORCE AND FOR AN ORDER TO SHOW CAUSE, AND TO SET ASIDE THE PREMARITAL AGREEMENT PER OST Court clerk Tiffany Skaggs present. Discussion regarding lack of full disclosure, prenuptial agreement, 4/6/16 hearing and SOGG. Counsel stated Plaintiff found out after the 4/16 hearing that Defendant owned a liquor business and did not disclose everything. Attorney advised, Defendant represented he was not going to appear in court anymore. COURT ORDERED, 1. Behavioral Order shall be in EFFECT immediately. 2. Plaintiff's request to AMEND, regarding the TORQUE CLAIM and COMMUNITY WASTE shall be GRANTED. 3. Defendant's Complaint for Malicious Prosecution filed 9/28/16 shall be STRICKEN as it is not a Motion or Proper Document. 4. Plaintiff's claim that Defendant interfered with a job offer shall NOT be ALLOWED as claim does NOT relate to Divorce. 5. Plaintiff's Intentional Infliction claim shall NOT be ALLOWED as claim does NOT relate to Divorce. 6. Attorney shall file briefs pursuant to Michigan Law. 7. Evidentiary hearing regarding financials and marital residence STANDS. 12/15/2016 10:00 am EVIDENTIARY HEARING - validity of prenuptial agreement Minute's from today's hearing to suffice.;

09/27/2016

 **Calendar Call** (11:00 AM) (Judicial Officer: Hughes, Rena G.)

due to stacking - set EH on 10/12/16

Matter Heard;


CASE SUMMARY

CASE NO. D-15-523582-D

Journal Entry Details:

Court noted, there were no appearance, for today's hearing, due to confusion, regarding the final order dealing with Defendant's motion, to disqualify. Court clerk trainee, Marlana Elliott, present. COURT ORDERED, DUE to STACKING, the EVIDENTIARY HEARING shall be RESET, to 10/12/16. Court's JEA to NOTICE said HEARING. The MOTION set, for 10/4/16, STANDS.;

09/23/2016

 **Minute Order** (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Minute Order: Motion to Disqualify

Minute Order - No Hearing Held; Motion to disqualify denied.

Journal Entry Details:


COURT ORDERED, as it does not appear that the motion was properly served upon the judge under NRS 1.235(4) the motion to disqualify is DENIED. See written order. CLERK'S NOTE: A copy of the above minute order was electronically mailed to Atty. Marsha Simms, counsel for Plaintiff, and mailed to Wilbert Holmes, Defendant in Pro Se, at 10550 Patrington Ct Las Vegas, NV 89183. / dr 9-28-16 ;

09/23/2016

Motion to Disqualify Judge (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Deft's Memorandum of Law in Support of Motion to Disqualify Judge Rena G. Hughes Under 28U.S.C.144


09/22/2016

 **Motion to Disqualify Judge** (3:00 AM) (Judicial Officer: Barker, David)

Events: 08/18/2016 Notice of Motion

Deft's Memorandum of Law in Support of Motion to Disqualify Judge Rena G. Hughes Under 28U.S.C.144

MINUTES

 Notice of Motion

Filed By: Defendant Holmes, Wilbert Roy

[41]

Matter Continued;

Journal Entry Details:

The Court notes that in Plaintiff's Motion to Amend Pleadings, filed July 22, 2016, and set for hearing on October 4, 2016, Plaintiff's counsel references having spoken with this Court and being referred to Presiding Judge of the Family Division, Judge Charles Hoskin. See motion at 8:9-14. To avoid the appearance of impropriety Defendant's Motion to Disqualify Judge Hughes is ORDERED transferred to the Department 11 September 23, 2016, chamber calendar for either reassignment or decision by Judge Gonzalez at her discretion. CLERK'S NOTE: A copy of this Minute Order has been placed in the attorney folder of Marsha Kimble-Simms, Esq., and mailed to: Wilbert Roy Holmes 10550 Patrington Ct. Las Vegas, NV 89183.ann/9/22/16 ;


09/21/2016

CANCELED Motion (10:00 AM) (Judicial Officer: Hughes, Rena G.)

Vacated - per Judge

Deft's Motion for Change of Venue

07/26/2016

 **Minute Order** (11:00 AM) (Judicial Officer: Hughes, Rena G.)

Minute Order - No Hearing Held;

Journal Entry Details:

Per Judge Hughes NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.11(e), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed. On July 16, 2016 Defendant filed a Motion for Change of Venue, with a Notice of Motion filed July 22, 2016 setting a hearing for September 21, 2016 at 10:00 a.m. The basis of Defendant's motion to change venue is his assertion that Plaintiff somehow can exert undue influence over the judiciary in Clark County, Nevada, and thus he will not receive a fair trial. Defendant further asserts that members of the judiciary have attended social events at his home, and that Plaintiff, his wife, is friends with members of the judiciary. Defendant does not assert Judge Rena Hughes attended social events at his home, or that Judge Rena Hughes is friends with his wife. Judge Rena Hughes has in fact not attended any social events at the parties home, and is not friends with Plaintiff. Judge Rena Hughes has no bias, nor prejudice for, or against, either party. Plaintiff has no undue influence over Judge Rena Hughes, and there is no basis to change venue as Defendant asserts. See, SCR 2.11. Defendant's Motion for Change of Venue is devoid of legal points and authorities, and does not meet the requirements of EDCR 2.20. Even if Defendant

CASE SUMMARY

CASE NO. D-15-523582-D

had cited to the appropriate statute or rule, the Court finds no basis for a change in venue. Both parties reside in Clark County, Nevada, the forum is convenient, and there is no obstacle to a fair and impartial trial. See, NRS 13.040 and 13.050. Defendant's Motion is DENIED, and the hearing of September 21, 2016 is VACATED. Clerk's note, a copy of today's was mailed to Defendant, at the address, on file and placed, in counsel's folder, at Family Court.;

05/17/2016

CANCELED Motion (10:00 AM) (Judicial Officer: Hughes, Rena G.)

Vacated

Deft's Attorney's Motion to Withdraw as Attorney of Record

03/30/2016



Case Management Conference (11:00 AM) (Judicial Officer: Hughes, Rena G.)

03/30/2016, 04/06/2016

Events: 02/09/2016 Notice of Rescheduling of Hearing

Reset, from 3/30/16, due to JNA.

MINUTES



Notice of Rescheduling of Hearing

[11]

Notice of Unavailability filed 2/18/16

Off Calendar;

Evidentiary Hearing;

Journal Entry Details:

Arguments regarding, pre nuptial agreement, division of property, appraisal of marital residence, selling of the marital residence, job search for Plaintiff, assets and debts, domestic violence, TORTE claims and battery. COURT stated FINDINGS and ORDERED: 1. The MARTIAL APPRAISAL shall be PREPARED, by SCOTT DUGAN. Defendant shall FRONT the COST; HOWEVER, in the END, said COST shall be EQUALLY DIVIDED, by the Parties. 2. The PRE NUPTIAL AGREEMENT shall GOVERN the DIVISION, of PROPERTY. 3. DISCOVERY shall be OPEN. 4. Pursuant to 16.2, EXCHANGE of DOCUMENTS shall be VOLUNTARILY COMPLETED. 5. Counsel shall AMEND the PLEADINGS, to INCLUDE the TORTE CLAIM and COMMUNITY WASTE, within the next 30 days. Attorney Jacobson to prepare an Order, from today's hearing. 9/27/16 11:00 am CALENDAR CALL 10/11/16 1:30 pm EVIDENTIARY HEARING - finances and equity in residence (stack #2);

MINUTES



Notice of Rescheduling of Hearing

[11]

Notice of Unavailability filed 2/18/16

Off Calendar;

Evidentiary Hearing;

Journal Entry Details:

Due to the unavailability, of the Court, matter OFF CALENDAR and RESET, for 4/6/16. A copy of today's minute order and Notice of Rescheduling of Hearing, placed, in counsel's folder, at Family Court.;

SERVICE

10/12/2021

Writ

Holmes, Wilbert Roy

Unserved

DATE

FINANCIAL INFORMATION

Intervenor Panfil, Kimberly

Total Charges

25.00

Total Payments and Credits

25.00

Balance Due as of 3/16/2023

0.00

Defendant Holmes, Wilbert Roy

Total Charges

2,951.00

Total Payments and Credits

2,951.00

Balance Due as of 3/16/2023

0.00

Plaintiff Holmes, Capucine Yolanda

Total Charges

445.50

Total Payments and Credits

445.50

CASE SUMMARY

CASE NO. D-15-523582-D

Balance Due as of 3/16/2023

0.00

1 ORDR

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 CAPUCINE YOLANDA HOLMES,

7 Plaintiff,

8 vs.

9 WILBERT ROY HOLMES,

10 Defendant.

Case No: D-15-523582-D

Dept. No: X

11 **ORDER DENYING DEFENDANT'S FEBRUARY 20, 2023 MOTION FOR**
12 **CLARIFICATION AND FEBRUARY 28, 2023 MOTION FOR A STAY PURSUANT TO**
13 **EDCR 5.503(a) and GRANTING PLAINTIFF'S MARCH 11, 2023 COUNTERMOTION**
14 **AND**
VACATING APIRL 24, 2023 HEARING

15 This is a post-judgment divorce proceeding reassigned to this judicial department on
16 April 29, 2021 due to the recusal of the judicial officer in Department J. This case has been the
17 subject of thirteen (13) appeals, some deriving from decisions made in Department J and some
18 from this Department. All existing appeals have been resolved and no new appeals are pending
19 at this time.

20
21 This Court exercises authority granted it pursuant to NRCP 1 and EDCR 1.10 which
22 provide district court dockets shall be administered to secure speedy, efficient and inexpensive
23 determinations in every action. This Court exercises discretion granted it pursuant to EDCR
24 2.23(c) to decide this matter without recourse to oral argument. Accordingly, the Court
25
26 ORDERS the April 24, 2023 hearing VACATED.

27 Having reviewed the papers and pleadings before it and, good cause appearing, this Court
28 issues its findings and orders.

1 This matter is scheduled for hearing on April 24, 2023 on Defendant Wilbert (Wilbert)
2 Roy Holmes' February 20, 2023 Motion for Clarification and February 28, 2023 Motion for a
3 Stay. Attached to Wilbert's February 20, 2023 Motion for Clarification was a Certificate of
4 Service by mail to Plaintiff Capucine (Capucine) Yolanda Holmes' court-listed attorney William
5 Heaton. On March 6, 2023, Capucine filed her Opposition and Countermotion to Wilbert's
6 February 20, 2023 motion.
7

8 Attached to Wilbert's February 28, 2023 Motion for Stay was a Certificate of Service by
9 mail to an address other than attorney Heaton's court-listed address. Notwithstanding the service
10 defect, on March 11, 2023, Capucine filed her Opposition and Countermotion to Wilbert's
11 February 28, 2023 motion. On March 12, 2023, Wilbert filed his Reply.
12

13 This is a post-judgment divorce proceeding wherein Capucine was granted \$100,862.73
14 as for her interest in the marital residence located at 10550 Patrington Court (Marital Residence),
15 Las Vegas, Nevada following a two-day non-jury bench trial. See Decree of Divorce at p.9, ll.1-
16 14 (filed June 1, 2017). The Decree of Divorce further granted Capucine a lien on the Marital
17 Residence in the awarded sum. Id. at p.9, ll.1-7. On June 8, 2017, Wilbert filed a Notice of
18 Appeal. Following a May 31, 2018 Order of Reversal and Remand, this Court entered an Order
19 upon Remand Clarifying Decree of Divorce (filed June 12, 2018). In the Order, the Court found
20 a math error at page 6 with a correct figure listed a page 7. See Order at p.1, ll.19-22 (filed June
21 12, 2018). The Court additionally found Capucine's equity in the Marital Residence, as stated in
22 the Decree of Divorce, correct. Id. at p.1, ll.23-24. In the intervening period, Wilbert has filed
23 an additional twelve (12) appeals related to this matter.
24
25

26 In his February 20, 2023 Motion for Clarification, Wilbert requested the Court to rehear
27 the entire divorce matter based on his narrative and attached exhibits wherein he claims
28

1 Capucine, who he refers to as “the Devil Woman”, was not entitled to the divorce decree award
2 based upon the former judicial officer, Deidre Butler and/or Rena Hughes, being her “personal
3 friend.” Wilbert contends, as he has in prior pleadings before this Court, that Capucine has false
4 professional credentials, has been charged with Battery Domestic Violence, has a deviant,
5 magnetic personality, and engaged in multiple infidelities. Wilbert additionally contends he has
6 inoperable brain cancer and has been deemed a vexatious litigant.
7

8 On February 20, 2023, attorney Jeffrey A. Cogan filed a Notice of Disassociation of
9 Pleading filed by Wilbert on February 20, 2023. In the pleading, attorney Cogan stated he
10 declined to prepare any argument on Wilbert’s behalf that would violate NRCP 11. See Cogan
11 Notice at p.2, ll.2-17 (filed February 20, 2023). Attorney Cogan stated he agreed to file a
12 pleading before the Court that complied with this Court’s January 3, 2023 Minutes taking
13 Wilbert’s originally filed but legally defective motion off calendar. Attorney Cogan stated
14 Wilbert nonetheless filed his February 20, 2023 Motion for Clarification in pro se status and
15 against his professional advice. Id. at p.2, ll.6-17.
16
17

18 Also on February 20, 2023, Wilbert filed what appears to be a response to attorney
19 Cogan’s Notice wherein he asserts the attorney failed to do his job. See Wilbert’s Notice of
20 Disassociation at p.1, ll.26-28 (filed February 20, 2023).
21

22 In her March 6, 2023 Opposition to Wilbert’s Motion for Clarification, Capucine set forth
23 the history of this case including the various appeals. Capucine requested the Court deny
24 Wilbert’s motion where relitigation of the divorce action is not available to Wilbert at this stage
25 of the proceedings. Capucine further alleged Wilbert’s motion is not properly supported by the
26 facts presented or law. Specifically, Capucine alleged Wilbert failed to provide reference to
27 statutes, court rules or case authorities in support of his requested relief. Capucine also argued
28

1 Wilbert's motion does not meet the requirements of EDCR 5.503. In sum, Capucine alleged
2 Wilbert's motion is untimely and seeks to re-litigate orders long since deemed final.

3 Next, Capucine alleged that, to the extent, Wilbert's motion constitutes a motion for
4 reconsideration, it is clearly untimely under EDCR 5.513 and must be denied. Capucine alleged
5 Wilbert failed to identify any statute or court rule under which this Court would have the power
6 or authority to revisit or modify orders that have been adjudicated and affirmed on appeal or are
7 otherwise now final.
8

9 In his February 28, 2023 Motion for Stay, Wilbert requested the Court grant a stay of this
10 Court's orders dated June 1, 2017, December 16, 2019 and February 2, 2020. Wilbert alleged a
11 stay is appropriate because he will present serious legal questions which, absent a stay, will
12 result in irreparable injury to him. Wilbert alleged Capucine's current attorney has been
13 coordinating and invading his property at 10550 Pattrington Ct LV, NV 89183 causing damages to
14 the structure by changing all door locks and taking items from the property as well as other
15 invasive acts. Wilbert alleged Capucine's previous attorney held back true facts and committed
16 perjury. Wilbert alleged Capucine and her attorney interfered with his legal listing contract and
17 legally signed purchase offers in November 2019 and February 2021. Wilbert alleged Capucine
18 and her attorney lied to the Court by asserted Wilbert's home wasn't listed. Wilbert alleged he
19 has a very strong good buyer in escrow (referencing a November 2019 residential sale contract).
20 Wilbert alleged the buyer has the purchase offer contract rights signed to buy his home with a
21 \$20,000.00 earnest deposit in Chicago Title (alleging a current residential sale contract but for
22 dates of November 2019 to June 2020). Wilbert alleged Capucine are blocking his home sale
23 and trying to get him in contempt of court by telling the Court Wilbert did not try to sell his
24 home (referencing arguments before former Judge Rene Hughes). Wilbert alleged his home
25
26
27
28

1 could have been sold early in March 2021. The Court FINDS Wilbert has argued, in previous
2 pleadings, that he has a verified purchaser for the former marital residence. Notwithstanding
3 these previously considered arguments, the Court FINDS Wilbert provided no documentation in
4 support of his representation the Marital Residence is currently under contract.
5

6 In her March 11, 2023 Opposition, Capucine alleged the Court's February 4, 2020 Order
7 grants Capucine the sole authority to sell the Patrington Court (Marital Residence) residence as
8 well as "authority to execute any and all documents necessary to cause a sale of the Residence."
9 Capucine alleged that, when Wilbert's tenants moved out of the residence in late January or early
10 February 2023, the realtor was able to procure a key for the residence, but the lock box
11 containing that key was subsequently removed and stolen. Capucine alleged as a result of that
12 theft, it was necessary for Capucine to re-key the Marital Residence locks in order to obtain
13 access and show the residence to prospective purchasers. Capucine alleged a second lock box
14 was removed and stolen.
15

16 Capucine alleged on information and belief, Wilbert caused the residence to be re-keyed
17 without notice and without providing the listing realtor a key in what appears to be efforts to
18 thwart the sale of the residence. Capucine alleged the Patrington residence is now under contract
19 for sale for the sum of \$1,150,000. Capucine alleged the residence is "under water" in that the
20 sale price will not satisfy the currently existing encumbrances against the residence, but
21 Capucine has procured agreements from the holder of the first trust deed encumbering the
22 residence to postpone its pending foreclosure sale, and from another lienholder to join with
23 Capucine in waiving a portion of their respective liens, in order to facilitate the closing of the
24 sale of the residence.
25
26

27 Capucine alleged Wilbert has no equity in the Patrington Residence and his motion for
28

1 stay is an attempt to preclude Capucine from realizing any recovery on her judgment against
2 Wilbert. Capucine alleged she has procured a preliminary title report for the Patrington Court
3 residence and, after review of that report, Capucine's counsel estimated as of February 10, 2023,
4 a sales price of approximately \$1,275,000 to \$1,300,00 would have been required for the
5 residence to be sold without the necessity of concessions from lienholders. Capucine alleged
6 Wilbert has no equity in the residence, yet Wilbert continues to attempt to interfere with and
7 delay any sale of the residence. Capucine further alleged Wilbert's motion is not properly
8 supported pursuant to EDCR 5.503. Capucine alleged there are no references to statutes, court
9 rules or case authorities which authorize the relief Wilbert seeks. Capucine also argued the
10 motion does not identify any facts which support Wilbert's cause. Capucine alleged Wilbert's
11 motion is untimely and seeks to re-litigate orders and dispositions which are long since final. In
12 her countermotion, Capucine requested Wilbert be designated as a Vexatious Litigant or
13 alternatively an order to show cause should be entered requiring Wilbert to appear and show
14 cause why he should not be designated as a vexatious litigant in this case.

15 On March 12, 2023, Wilbert filed his Reply to Capucine's Oppositions and
16 Countermotions.

17 EDCR 5.503(a) states, in pertinent parts, as follows:

- 18 (a) Every motion, opposition, countermotion, and reply shall include points and
19 authorities supporting each position asserted and an affidavit supporting all factual
20 averments. Points and authorities lacking citation to relevant authority, or consisting
21 of bare citations to statutes, rules or case authority, do not comply with this rule. The
22 absence or deficiency of points and authorities may be construed as an admission that
23 the filing is not meritorious, or as cause for denial of all positions not supported.

24 The Court FINDS both of Wilbert's motions are legally deficient where the pleadings are
25 wholly devoid of points and authorities supporting each position asserted and neither motion
26 contains the required affidavit supporting all factual averments. The Court further FINDS there
27
28

1 is no statutory or rule supporting his request for a stay in this matter where no appeal has been
2 filed. See generally NRAP 8(c). The Court FINDS the last appeal, case number 84812-COA,
3 was denied by Order of Affirmance filed on January 13, 2023. Therefore, the Court DENIES
4 Wilbert's request for a stay in this matter.
5

6 Accordingly, good cause appearing, the Court DENIES Wilbert's February 20, 2023 and
7 February 28, 2023 motions as legally deficient pursuant to EDCR 5.503(a).
8

9 The Court FINDS Wilbert was previously deemed a vexatious litigant on or about May
10 18, 2020 in A-17-760443-C; A-19-790299-C; A-19-795057-C; A-19-795917-C; A-19-796138-
11 C; A-19-796333-C; A-19-796526-C; A-19-805847-C; and A-20-809415-C. See Decision and
12 Order (filed May 18, 2020)(in listed referenced cases).
13

14 The Court FINDS Capucine, in her March 11, 2023 countermotion, requests this Court
15 adopt the May 18, 2020 Decision and Order finding Wilbert to be a vexatious litigant. For the
16 reasons set forth below, the Court GRANTS Capucine's countermotion.
17

18 The Court FINDS one of the listed cases, Wilbert Holmes v. Judge Rena Hughes, A-19-
19 796333-C, is related to the captioned divorce proceeding. In the Decision and Order, the Court
20 found as follows:

21 "Several of Mr. Holmes complaints are also abusive because the complaints are filed with
22 the intent to harass his ex-wife, Capucine Holmes. Three of Mr. Holmes' complaints
23 accuse his ex-wife, or persons associated with his ex-wife, of adultery and attempt to use
24 the alleged adultery as the basis of his [intentional infliction of emotional distress] claim.
25 Mr. Holmes' complaints contain explicit details of the alleged adultery. Again, even if
26 true, adultery is not a basis for a civil action. Mr. Holmes' repeated complaints alleging
27 adultery serve no purpose but to harass Capucine Holmes and her alleged associates."

28 Id. at p.15, ll.1-7.

Following its findings, the Court set forth restrictions in order for Wilbert to file pro se
pleadings before the Eighth Judicial District Court. Id. at p.15, ll.13-28 and p.16, ll.1-6. This

1 Court is a specialty division of the Eighth Judicial District Court. The Court FINDS Wilbert is
2 listed as a vexatious litigant on the Nevada Administrative Office of Court's Vexatious Litigant
3 List wherein the Eighth Judicial District Court is listed as the determining Court. See
4 https://nvcourts.gov/__data/assets/pdf_file/0023/13496/Vexatious_Litigant_03.09.23.pdf (last
5 accessed March 14, 2023).
6

7 **Accordingly, because this Court is part of the Eighth Judicial District Court, the**
8 **Court FINDS good cause to accept the findings made in the May 18, 2020 Decision and**
9 **Order deeming DEFENDANT WILBERT ROY HOLMES a vexatious litigant. Therefore,**
10 **Wilbert is required to adhere to the restrictions contained in the May 18, 2020 Decision and**
11 **Order, if acting in pro se capacity, prior to filing any further motions with this Court. See**
12 **Decision and Order at p. p.15, ll.13-28 and p.16, ll.1-6. Failure to abide by these**
13 **restrictions, shall result in any filed matter being taken off calendar.**
14

15 The Court ORDERS the April 24, 2023 hearing VACATED.

16 The case SHALL be returned to CLOSED STATUS.
17

18
19 Dated this 14th day of March, 2023

20
21 
22 **HEIDI ALMASE**
District Court Judge

23 **779 B93 9853 0F8A**
24 **Heidi Almase**
25 **District Court Judge**
26
27
28

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Capucine Yolanda Holmes,
Plaintiff

CASE NO: D-15-523582-D

7 vs.

DEPT. NO. Department X

8
9 Wilbert Roy Holmes, Defendant.

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 3/14/2023

15 William Heaton

will@heatonfontano.com

16 Jonathan Heaton

jon@heatonfontano.com

17 CAPUCINE HOLMES

UCINE68@YAHOO.COM

18 WILBERT HOLMES

WHOLMES711@AOL.COM

19
20
21 If indicated below, a copy of the above mentioned filings were also served by mail
via United States Postal Service, postage prepaid, to the parties listed below at their last
22 known addresses on 3/15/2023

23 Kimberly Panfil

c/o Blanchard Law Office
216 Carson Way
Henderson, NV, 89015

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

March 30, 2016

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

**March 30, 2016 11:00 AM Case Management
Conference**

HEARD BY: Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

PARTIES:

Capucine Holmes, Plaintiff, not present
Kimberly Panfil, Intervenor, not present
Wilbert Holmes, Defendant, not present

James Fontano, Attorney, not present
Brent Blanchard, Attorney, not present
Gary Reeves, Attorney, not present

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- Due to the unavailability, of the Court, matter OFF CALENDAR and RESET, for 4/6/16.

A copy of today's minute order and Notice of Rescheduling of Hearing, placed, in counsel's folder, at Family Court.

INTERIM CONDITIONS:

FUTURE HEARINGS:

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

April 06, 2016

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

**April 06, 2016 11:00 AM Case Management
Conference**

HEARD BY: Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

| | |
|--|--|
| Capucine Holmes, Plaintiff, present | Marsha Kimble-Simms, Attorney, present |
| Kimberly Panfil, Intervenor, not present | Brent Blanchard, Attorney, not present |
| Wilbert Holmes, Defendant, present | Rachel Jacobson, Attorney, present |

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- Arguments regarding, pre nuptial agreement, division of property, appraisal of marital residence, selling of the marital residence, job search for Plaintiff, assets and debts, domestic violence, TORTE claims and battery.

COURT stated FINDINGS and ORDERED:

1. The MARTIAL APPRAISAL shall be PREPARED, by SCOTT DUGAN. Defendant shall FRONT the COST; HOWEVER, in the END, said COST shall be EQUALLY DIVIDED, by the Parties.
2. The PRE NUPTIAL AGREEMENT shall GOVERN the DIVISION, of PROPERTY.
3. DISCOVERY shall be OPEN.
4. Pursuant to 16.2, EXCHANGE of DOCUMENTS shall be VOLUNTARILY COMPLETED.
5. Counsel shall AMEND the PLEADINGS, to INCLUDE the TORTE CLAIM and COMMUNITY WASTE, within the next 30 days.

| | | | | |
|-------------|------------|--------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 2 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|--------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Attorney Jacobson to prepare an Order, from today's hearing.

9/27/16 11:00 am CALENDAR CALL

10/11/16 1:30 pm EVIDENTIARY HEARING - finances and equity in residence (stack #2)

INTERIM CONDITIONS:

FUTURE HEARINGS: Apr 06, 2016 11:00AM Case Management Conference
Reset, from 3/30/16, due to JNA.
Courtroom 04 Hughes, Rena G.

| | | | | |
|-------------|------------|--------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 3 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|--------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

July 26, 2016

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

July 26, 2016 11:00 AM Minute Order

HEARD BY: Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

| | |
|--|--|
| Capucine Holmes, Plaintiff, not present | James Fontano, Attorney, not present |
| Kimberly Panfil, Intervenor, not present | Brent Blanchard, Attorney, not present |
| Wilbert Holmes, Defendant, not present | Gary Reeves, Attorney, not present |

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- Per Judge Hughes

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.11(e), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed.

On July 16, 2016 Defendant filed a Motion for Change of Venue, with a Notice of Motion filed July 22, 2016 setting a hearing for September 21, 2016 at 10:00 a.m. The basis of Defendant's motion to change venue is his assertion that Plaintiff somehow can exert undue influence over the judiciary in Clark County, Nevada, and thus he will not receive a fair trial. Defendant further asserts that members of the judiciary have attended social events at his home, and that Plaintiff, his wife, is friends with members of the judiciary. Defendant does not assert Judge Rena Hughes attended social events at his home, or that Judge Rena Hughes is friends with his wife.

Judge Rena Hughes has in fact not attended any social events at the parties' home, and is not friends with Plaintiff. Judge Rena Hughes has no bias, nor prejudice for, or against, either party. Plaintiff

| | | | | |
|-------------|------------|--------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 4 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|--------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

has no undue influence over Judge Rena Hughes, and there is no basis to change venue as Defendant asserts. See, SCR 2.11.

Defendant's Motion for Change of Venue is devoid of legal points and authorities, and does not meet the requirements of EDCR 2.20. Even if Defendant had cited to the appropriate statute or rule, the Court finds no basis for a change in venue. Both parties reside in Clark County, Nevada, the forum is convenient, and there is no obstacle to a fair and impartial trial. See, NRS 13.040 and 13.050.

Defendant's Motion is DENIED, and the hearing of September 21, 2016 is VACATED.

Clerk's note, a copy of today's was mailed to Defendant, at the address, on file and placed, in counsel's folder, at Family Court.

INTERIM CONDITIONS:

FUTURE HEARINGS: Sep 27, 2016 11:00AM Calendar Call
due to stacking - set EH on 10/12/16
Courtroom 04 Hughes, Rena G.

| | | | | |
|-------------|------------|--------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 5 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|--------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES****September 22, 2016**

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

**September 22, 3:00 AM Motion to Disqualify
2016 Judge**

HEARD BY: Barker, David**COURTROOM:****COURT CLERK:****PARTIES:**

| | |
|--|--|
| Capucine Holmes, Plaintiff, not present | James Fontano, Attorney, not present |
| Kimberly Panfil, Intervenor, not present | Brent Blanchard, Attorney, not present |
| Wilbert Holmes, Defendant, not present | Gary Reeves, Attorney, not present |

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- The Court notes that in Plaintiff's Motion to Amend Pleadings, filed July 22, 2016, and set for hearing on October 4, 2016, Plaintiff's counsel references having spoken with this Court and being referred to Presiding Judge of the Family Division, Judge Charles Hoskin. See motion at 8:9-14. To avoid the appearance of impropriety Defendant's Motion to Disqualify Judge Hughes is ORDERED transferred to the Department 11 September 23, 2016, chamber calendar for either reassignment or decision by Judge Gonzalez at her discretion.

CLERK'S NOTE: A copy of this Minute Order has been placed in the attorney folder of Marsha Kimble-Simms, Esq., and mailed to:
Wilbert Roy Holmes
10550 Patrington Ct.
Las Vegas, NV 89183.anm/9/22/16

INTERIM CONDITIONS:

| | | | | |
|--------------------|------------|--------------|----------------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 6 of 55 | Minutes Date: | March 30, 2016 |
|--------------------|------------|--------------|----------------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

FUTURE HEARINGS:

| | | | | |
|-------------|------------|--------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 7 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|--------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

September 23, 2016

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

September 23, 2016 3:00 AM Minute Order

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Dulce Romea

PARTIES:

| | |
|--|--|
| Capucine Holmes, Plaintiff, not present | James Fontano, Attorney, not present |
| Kimberly Panfil, Intervenor, not present | Brent Blanchard, Attorney, not present |
| Wilbert Holmes, Defendant, not present | Gary Reeves, Attorney, not present |

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- COURT ORDERED, as it does not appear that the motion was properly served upon the judge under NRS 1.235(4) the motion to disqualify is DENIED. See written order.

CLERK'S NOTE: A copy of the above minute order was electronically mailed to Atty. Marsha Simms, counsel for Plaintiff, and mailed to Wilbert Holmes, Defendant in Pro Se, at 10550 Patrington Ct Las Vegas, NV 89183. / dr 9-28-16

INTERIM CONDITIONS:

FUTURE HEARINGS:

| | | | | |
|-------------|------------|--------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 8 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|--------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

September 27, 2016

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

**September 27, 11:00 AM Calendar Call
2016**

HEARD BY: Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

PARTIES:

| | |
|--|--|
| Capucine Holmes, Plaintiff, not present | James Fontano, Attorney, not present |
| Kimberly Panfil, Intervenor, not present | Brent Blanchard, Attorney, not present |
| Wilbert Holmes, Defendant, not present | Gary Reeves, Attorney, not present |

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- Court noted, there were no appearance, for today's hearing, due to confusion, regarding the final order dealing with Defendant's motion, to disqualify.

Court clerk trainee, Marlana Elliott, present.

COURT ORDERED, DUE to STACKING, the EVIDENTIARY HEARING shall be RESET, to 10/12/16. Court's JEA to NOTICE said HEARING. The MOTION set, for 10/4/16, STANDS.

INTERIM CONDITIONS:

FUTURE HEARINGS:

| | | | | |
|-------------|------------|--------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 9 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|--------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

October 04, 2016

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

October 04, 2016 10:00 AM Motion

HEARD BY: Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

Capucine Holmes, Plaintiff, present
Kimberly Panfil, Intervenor, not present
Wilbert Holmes, Defendant, not present

Marsha Kimble-Simms, Attorney, present
Brent Blanchard, Attorney, not present
Gary Reeves, Attorney, not present

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- PLTF'S MOTION TO AMEND THE PLEADINGS, FOR AN ORDER TO ENFORCE AND FOR AN ORDER TO SHOW CAUSE, AND TO SET ASIDE THE PREMARITAL AGREEMENT PER OST

Court clerk Tiffany Skaggs present.

Discussion regarding lack of full disclosure, prenuptial agreement, 4/6/16 hearing and SOGG.

Counsel stated Plaintiff found out after the 4/16 hearing that Defendant owned a liquor business and did not disclose everything.

Attorney advised, Defendant represented he was not going to appear in court anymore.

COURT ORDERED,

1. Behavioral Order shall be in EFFECT immediately.

2. Plaintiff's request to AMEND, regarding the TORQUE CLAIM and COMMUNITY WASTE shall be GRANTED.

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 10 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

3. Defendant's Complaint for Malicious Prosecution filed 9/28/16 shall be STRICKEN as it is not a Motion or Proper Document.

4. Plaintiff's claim that Defendant interfered with a job offer shall NOT be ALLOWED as claim does NOT relate to Divorce.

5. Plaintiff's Intentional Infliction claim shall NOT be ALLOWED as claim does NOT relate to Divorce.

6. Attorney shall file briefs pursuant to Michigan Law.

7. Evidentiary hearing regarding financials and marital residence STANDS.

12/15/2016 10:00 am EVIDENTIARY HEARING - validity of prenuptial agreement

Minute's from today's hearing to suffice.

INTERIM CONDITIONS:

FUTURE HEARINGS:

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 11 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES****October 11, 2016**

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

October 11, 2016 10:00 AM Minute Order

HEARD BY: Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Marlana Elliott**PARTIES:**

Capucine Holmes, Plaintiff, not present
Kimberly Panfil, Intervenor, not present
Wilbert Holmes, Defendant, not present

James Fontano, Attorney, not present
Brent Blanchard, Attorney, not present
Gary Reeves, Attorney, not present

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- -PER JUDGE

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.11(e), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed.

At the April 6, 2016 Case Management Conference hearing, the Court set the matter for an Evidentiary Hearing regarding finances and equity in the marital residence. The Court Ordered a marital appraisal be prepared by Scott Dugan, for the prenuptial agreement to govern the division of property, for discovery to open, for the exchange of documents to be voluntarily completed pursuant to 16.2, and for counsel to amend the pleadings to include the tort claim and the community waste claim within the next 30 days. The Evidentiary Hearing was scheduled for October 12, 2016.

Subsequent to the April 6, 2016 hearing, Plaintiff filed a Motion to Amend the Pleadings, for an Order to Enforce and for an Order to Show Cause and to Set Aside the Premarital Agreement. At the Motion hearing on October 4, 2016, the Court granted Plaintiff s request to amend the complaint to include the tort and community waste claim. The Court set an Evidentiary Hearing on the validity of

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 12 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

the prenuptial agreement. The Evidentiary Hearing was scheduled for December 15, 2016.

This Court has read and considered the current underlying pleadings in this matter. As the prenuptial agreement controls the marital estate and the validity of the prenuptial agreement is being contested, the Court is hereby continuing the Evidentiary Hearing re: finances and equity in the marital estate from October 12, 2016 to April 18, 2017.

The Court will first hear the Evidentiary Hearing re: the validity of the prenuptial agreement, on December 15, 2016. Thereafter the Court will address the Evidentiary Hearing regarding the finances and the equity in the marital residence.

Clerk's note, a copy of today's minute order, was mailed to Defendant, at the address on file and placed in Attorney's folder, at Family Court.

INTERIM CONDITIONS:

FUTURE HEARINGS:

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 13 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

December 20, 2016

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

December 20, 2016 11:00 AM**All Pending Motions****HEARD BY:** Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

Capucine Holmes, Plaintiff, present
Kimberly Panfil, Intervenor, not present
Wilbert Holmes, Defendant, present

Marsha Kimble-Simms, Attorney, present
Brent Blanchard, Attorney, not present
Pro Se

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- DEFT'S MOTION FOR MALICIOUS PROSECUTION...CALENDAR CALL...STATUS
CHECK...MOTION TO WITHDRAW AS COUNSEL OF RECORD PER OST

Court discussed Defendant's notice of motion failed to provide points or authorities, and a proper motion was not filed. Further, Plaintiff has not filed a pre trial memorandum. Court addressed counsel's motion to withdraw was not served; therefore, can not be heard, today.

Discussion regarding not having the entire pre nuptial agreement, from Michigan, appraisals of the residence and the length of time the case has been ongoing.

Court reviewed the pre nuptial agreement, which was filed, with the Court. Court noted, there is enough information, in the pre nuptial to apply the laws, of Michigan, to the document.

Counsel stated she does not feel comfortable moving forward, with the trial, with the documents she has, as they are not complete. Further, counsel has attempted to retrieve a copy of the full document, however has been able to, due to needing Defendant's authorization.

COURT stated FINDINGS and ORDERED:

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 14 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

1. Defendant's MOTION shall be DENIED.
2. As Defendant FILED his EXHIBITS, in his PRE TRIAL MEMORANDUM (12/11/16), EXHIBITS B and C shall be STRICKEN.
3. EVIDENTIARY HEARING STANDS.

INTERIM CONDITIONS:

FUTURE HEARINGS:

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 15 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

January 10, 2017

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

January 10, 2017 1:30 PM Evidentiary Hearing

HEARD BY: Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

PARTIES:

Capucine Holmes, Plaintiff, present
Kimberly Panfil, Intervenor, not present
Wilbert Holmes, Defendant, present

Marsha Kimble-Simms, Attorney, present
Brent Blanchard, Attorney, not present
Pro Se

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- HOUSEKEEPING ISSUES.

Review of issues and the pre marital agreement.

Witness's sworn and testified. Court heard testimony, from Plaintiff and Wendell Snow.

Exhibits offered and admitted. See exhibit worksheet.

Court addressed, exhibit C1 is an appraisal, for 2002, however, an appraisal, for 2001 was requested.

Due to TIME RESTRICTIONS, COURT ORDERED, matter CONTINUED, to 1/18/17.

INTERIM CONDITIONS:

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 16 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

FUTURE HEARINGS:

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 17 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

January 18, 2017

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

January 18, 2017 1:30 PM Evidentiary Hearing

HEARD BY: Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: April Graham

PARTIES:

Capucine Holmes, Plaintiff, present
Kimberly Panfil, Intervenor, not present
Wilbert Holmes, Defendant, present

Marsha Kimble-Simms, Attorney, present
Brent Blanchard, Attorney, not present
Pro Se

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- Court noted both parties filed an Amended Pretrial Memorandum with additional exhibits.

Testimony and exhibits presented (see worksheets).

COURT ORDERED, matter is taken UNDER ADVISEMENT. As the Court is unable to make a DECISION at this time, Ms. Kimble-Simms shall obtain the closing documents from the title company on the home when it was purchased in 1999 and file it with the Court; she may prepare an Order for the Court to sign should a subpoena not be sufficient.

Ms. Kimble-Simms shall prepare the Order from today's hearing.

Clerk's Note: After the hearing, COURT ORDERED, Defendant is to make Plaintiff's personal items in the home available for her to pick up within 10 days of today's date. (ag)

INTERIM CONDITIONS:

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 18 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

FUTURE HEARINGS: Jan 18, 2017 1:30PM Evidentiary Hearing
DAY 2 - Finances / equity in marital residence
Courtroom 04 Hughes, Rena G.

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 19 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

April 05, 2017

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

April 05, 2017 11:00 AM Motion

HEARD BY: Hughes, Rena G.

COURTROOM: Courtroom 04

COURT CLERK: Tiffany Skaggs

PARTIES:

Capucine Holmes, Plaintiff, not present
Kimberly Panfil, Intervenor, not present
Wilbert Holmes, Defendant, not present

James Fontano, Attorney, not present
Brent Blanchard, Attorney, not present
Gary Reeves, Attorney, not present

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- Clerk's note, matter was on the IN CHAMBERS calendar and a hearing was not heard. However, a DECISION was made, on the PLEADINGS, with the ORDER, FILED 4/6/17.

INTERIM CONDITIONS:

FUTURE HEARINGS:

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES****August 23, 2017**

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

August 23, 2017 11:00 AM Motion to Stay

HEARD BY: Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

Capucine Holmes, Plaintiff, not present
Kimberly Panfil, Intervenor, not present
Wilbert Holmes, Defendant, not present

James Fontano, Attorney, not present
Brent Blanchard, Attorney, not present
Gary Reeves, Attorney, not present

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- Per Judge Hughes

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.501(b), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed.

This matter came on for hearing on the Court's in chambers calendar on August 23, 2017 for Defendant's Motion to Stay.

This Court has read and considered the current underlying pleadings in this matter.

Defendant has filed an Appeal of the final Decree of Divorce in this matter and applied to the District Court for a stay of the Decree of Divorce pending the appeal. Defendant's Motion for Stay is devoid of legal authorities and any factual basis. Any motion filed without points and authorities is subject to being denied pursuant to EDCR 2.20 (c) A party filing a motion must also serve and file with it a memorandum of points and authorities in support of each ground thereof. The absence of such

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 21 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

memorandum may be construed as an admission that the motion is not meritorious, as cause for its denial or as a waiver of all grounds not so supported.

Further, Defendant has not filed a supersedeas bond. Defendant s Motion to Stay is therefore denied.

NRCP 62 (d) Stay Upon Appeal. When an appeal is taken the appellant by giving a supersedeas bond may obtain a stay subject to the exceptions contained in subdivision (a) of this rule. The bond may be given at or after the time of filing the notice of appeal. The stay is effective when the supersedeas bond is filed.

Clerk's note, a copy, of today's minute order, was mailed to the Parties, at the addresses, on file.

INTERIM CONDITIONS:

FUTURE HEARINGS:

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 22 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

October 03, 2017

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

October 03, 2017 3:39 PM Minute Order

HEARD BY: Gonzalez, Elizabeth

COURTROOM:

COURT CLERK: Dulce Romea

PARTIES:

| | |
|--|--|
| Capucine Holmes, Plaintiff, not present | James Fontano, Attorney, not present |
| Kimberly Panfil, Intervenor, not present | Brent Blanchard, Attorney, not present |
| Wilbert Holmes, Defendant, not present | Gary Reeves, Attorney, not present |

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- The Court reviewed the Ex Parte Motion for Order Shortening Time (OST) submitted for the Motion to Disqualify Judge filed 9/1/9/17. As it does not appear that the Motion or Amended Motion has been served on the judge as required by NRS 1.235(4) the Ex parte Motion is DENIED WITHOUT PREJUDICE.

CLERK'S NOTE: A copy of this minute order was distributed to:

Wilbert R. Holmes
10550 Patrington Ct.
Las Vegas, NV 89183

/ dr 10-4-17

INTERIM CONDITIONS:

FUTURE HEARINGS:

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 23 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 24 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

November 03, 2017

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

**November 03, 3:00 AM Motion to Disqualify
2017 Judge**

HEARD BY: Gonzalez, Elizabeth

COURTROOM: Chambers

COURT CLERK: Dulce Romea

PARTIES:

| | |
|--|--|
| Capucine Holmes, Plaintiff, not present | James Fontano, Attorney, not present |
| Kimberly Panfil, Intervenor, not present | Brent Blanchard, Attorney, not present |
| Wilbert Holmes, Defendant, not present | Gary Reeves, Attorney, not present |

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- See order denying motion to disqualify.

INTERIM CONDITIONS:

FUTURE HEARINGS:

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

November 20, 2017

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

November 20, 2017 1:30 PM Minute Order

HEARD BY: Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

| | |
|--|--|
| Capucine Holmes, Plaintiff, not present | James Fontano, Attorney, not present |
| Kimberly Panfil, Intervenor, not present | Brent Blanchard, Attorney, not present |
| Wilbert Holmes, Defendant, not present | Gary Reeves, Attorney, not present |

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.501(b), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed.

This Court has read and considered the current underlying pleadings in this matter.

The Defendant has failed to comply with EDCR 5.206 by failing to file proof of service for the Motion he filed on September 25, 2017.

Therefore, Defendant's Motion for Orders to Set Aside Order, Judgment, and/or Default scheduled for November 29, 2017, is taken off calendar for failure to serve.

Plaintiff's Motion for an Order to Show Cause and the Order to Show Cause hearing, scheduled for

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 26 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

November 29, 2017, shall remain on calendar.

Clerk's note, a copy, of today's minute order, was mailed, to the Defendant, at the address, on file and placed, in counsel's folder, at Family Court.

INTERIM CONDITIONS:

FUTURE HEARINGS:

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 27 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

November 28, 2017

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

November 28, 2017 2:00 PM Minute Order

HEARD BY: Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

| | |
|--|--|
| Capucine Holmes, Plaintiff, not present | James Fontano, Attorney, not present |
| Kimberly Panfil, Intervenor, not present | Brent Blanchard, Attorney, not present |
| Wilbert Holmes, Defendant, not present | Gary Reeves, Attorney, not present |

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES

This matter having come before the Court on Plaintiff s Motion for an Order to Show Cause Why Defendant Should Not Be Held in Contempt, to Compel Compliance with Decree of Divorce, and for Award of Attorney s Fees and Costs filed on October 11, 2017 and on Plaintiff s Order to Show Cause, signed by the Court on October 18, 2017 and filed on October 20, 2017, set to be heard by the Court on November 29, 2017.

The Court finds that pursuant to NRCP 1 and EDCR 1.10, the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action.

The Court finds that subsequent to the Court signing off on Plaintiff s Order to Show Cause, the Court was unaware that the case was under appeal, as Defendant had erroneously filed a Notice of Appeal and a Case Appeal Statement under the District Court caption. The case was therefore not flagged as a case under appeal.

The Court was only notified that the case was under appeal when a Notice of Transfer to Court of

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 28 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Appeals was filed on October 19, 2017.

The Court finds that a notice of appeal divests this Court of jurisdiction to act and vests the jurisdiction in the appellate court. Rust v. Clark Cty. School District, 103 Nev. 686, 688, 747 P.2d 1380, 1382 (1987).

As this case was appealed to the Court of Appeals and the District Court no longer has jurisdiction to hear this matter, the Court is hereby vacating the Order to Show Cause hearing and Plaintiff s Motion without prejudice.

The hearing set on November 29, 2017 is hereby vacated. Minute Order to suffice. JEA to mail/fax a copy of this Minute Order to the parties and/or their respective counsel.

INTERIM CONDITIONS:

FUTURE HEARINGS:

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 29 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

June 29, 2018

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

**June 29, 2018 3:00 AM Motion to Disqualify
Judge**

HEARD BY: Gonzalez, Elizabeth**COURTROOM:** Chambers**COURT CLERK:** Dulce Romea**PARTIES:**

| | |
|--|--|
| Capucine Holmes, Plaintiff, not present | James Fontano, Attorney, not present |
| Kimberly Panfil, Intervenor, not present | Brent Blanchard, Attorney, not present |
| Wilbert Holmes, Defendant, not present | Gary Reeves, Attorney, not present |

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- The Court has reviewed the latest Motion to Disqualify filed by Defendant in this matter. As the Motion was not served upon the Judge, the matter is DENIED WITHOUT PREJUDICE to refile and serve in accordance with NRS 1.235(4).

CLERK'S NOTE: A copy of this minute order was mailed to:

Wilbert Holmes
10550 Patrington Ct.
Las Vegas, NV 89183
Defendant in Pro Se

Capucine Holmes
637 Twilight Blue Avenue
North Las Vegas, NV 89032
Plaintiff

James A. Fontano, Esq.

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 30 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

D-15-523582-D

5135 Camino al Norte, Suite 273
North Las Vegas, NV 89031
Counsel for Plaintiff

/ dr

INTERIM CONDITIONS:

FUTURE HEARINGS:

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 31 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES****September 17, 2019**

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

**September 17, 4:00 PM Minute Order
2019**

HEARD BY: Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

| | |
|--|--|
| Capucine Holmes, Plaintiff, not present | James Fontano, Attorney, not present |
| Kimberly Panfil, Intervenor, not present | Brent Blanchard, Attorney, not present |
| Wilbert Holmes, Defendant, not present | Gary Reeves, Attorney, not present |

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- Minute Order
D-15-523582-D
Holmes v Holmes

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.501(b), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 2.20(c), this Court can grant the requested relief if there is no opposition timely filed.

This Court has read and considered the current underlying pleadings in this matter. On August 19, 2019 Defendant filed a Motion for Rehearing. On August 20, 2019 Defendant filed an Amended Motion for Rehearing. Defendant filed a Certificate of Service indicating he had the Motions electronically served on August 16, 2019. As Defendant s Motions were not e-filed until August 20, 2019, Defendant s claimed date of service is deficient. Therefore the Motion hearing scheduled for September 24, 2019 is hereby vacated. Defendant may re-notice his Motion through the Clerk s Office to set this matter back on calendar. Case closed.

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 32 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Clerk's note, a copy, of today's minute order was mailed, to Defendant and counsel, at the addresses, on file.

INTERIM CONDITIONS:

FUTURE HEARINGS:

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 33 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES****October 29, 2019**

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

October 29, 2019 1:30 PM All Pending Motions

HEARD BY: Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

| | |
|--|--|
| Capucine Holmes, Plaintiff, not present | James Fontano, Attorney, present |
| Kimberly Panfil, Intervenor, not present | Brent Blanchard, Attorney, not present |
| Wilbert Holmes, Defendant, present | Pro Se |

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- OPPOSITION TO MOTION FOR REHEARING...DEFT'S RE NOTICE OF MOTION FOR REHEARING

Defendant appeared TELEPHONICALLY.

Court inquired if the request for a rehearing is for the final decree, which Defendant said yes. Defendant stated there was an item that has not been recognized, on his behalf, in the divorce. Court discussed, the matter was taken up to the Court of Appeals and is on appeal; therefore, this Court no longer has jurisdiction.

Defendant stated he was informed the matter was sent back to District Court, to make a decision.

Court reviewed the case file. Further, addressed the matter was appealed and has been confirmed.

Defendant discussed Plaintiff signed off on a quick claim deed and signed off on any property rights. Defendant does not understand how Plaintiff can be awarded any equity in the property, when she has no rights to it. Plaintiff had to sign off before the house could be put under the Senior Citizen Home Equity Program. Defendant stated his argument is Plaintiff signed legal documents that

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 34 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Plaintiff does not have any equity then, or in the future, on that property.

Court addressed, it was recognized Defendant was the only title holder, at the time of trial and the Court heard evidence and testimony. Further, Plaintiff signed the quick claim deed because it was necessary for Defendant to be able to refinance the residence and get equity out of the property.

Court reviewed the trial notes.

COURT FOUND, the motion is legally deficient, has no legal or factual basis, it has been appealed and affirmed, by the Supreme Court.

COURT ORDERED:

1. As Defendant's MOTION is LEGALLY DEFICIENT the MOTION shall be DENIED.
2. Attorney Fontano shall FILE a MEMORANDUM of FEES and COSTS, for THIS HEARING, which INCLUDES the BRUNZELL FACTORS, within the next 10 days. Upon RECEIPT, Defendant shall have 10 days to FILE a RESPONSE. COURTESY COPIES shall be PROVIDED, to the DEPARTMENT.

Attorney Fontano to prepare an Order, from today's hearing. CASE CLOSED.

Clerk's note, as Defendant was being disruptive and over talking the Court, the Court lowered the volume of Defendant speaking, so the Court could make findings and the order, without interruptions.

INTERIM CONDITIONS:

FUTURE HEARINGS:

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 35 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

December 16, 2019

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

December 16, 2019 2:30 PM**All Pending Motions****HEARD BY:** Hughes, Rena G.**COURTROOM:** Courtroom 04**COURT CLERK:** Tiffany Skaggs**PARTIES:**

Capucine Holmes, Plaintiff, not present
Kimberly Panfil, Intervenor, not present
Wilbert Holmes, Defendant, not present

James Fontano, Attorney, present
Brent Blanchard, Attorney, not present
Gary Reeves, Attorney, not present

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- PLTF'S MOTION FOR ORDER TO SHOW CAUSE WHY DEFT SHOULD NOT BE HELD IN CONTEMPT TO COMPEL COMPLIANCE WITH DECREE OF DIVORCE, AND FOR AWARD O ATTY'S FEES AND COSTS...PLTF'S ORDER TO SHOW CAUSE

Court addressed, last Friday the department received Defendant's ex parte motion to continue this hearing. Counsel stated Defendant e served him and counsel did see it. Court stated it is not supported, by any medical records that say he could not be present, today. Court reviewed the documents that were filed, with the motion. A proper motion was not filed, or proof that Defendant is in the hospital.

Court reviewed page 9, of the divorce decree.

COURT FOUND, Defendant should have been present today or filed the proper motion to give the court some basis for the allegations that he has made about being in the hospital.

Counsel stated he is seeking an order to be able control the sale of the property. It is counsel's understanding, Defendant has moved out of the house and is renting it as a short term rental through AirBnB.

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 36 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Court reviewed page 9, of the divorce decree, regarding if Defendant failed to pay Plaintiff her equity, in the home.

COURT ORDERED:

1. It shall be JUST and REASONABLE to AWARD ATTORNEY'S FEES, for today. Counsel shall FILE a MEMORANDUM of FEES and COSTS, together with the BRUNZELL AFFIDAVIT.
2. Plaintiff's MOTION shall be GRANTED.
3. The PROVISION, in the DIVORCE DECREE, regarding Plaintiff being ENTITLED to ENFORCE the SALE of the PROPERTY, to OBTAIN her EQUITY SHARE (\$100,862.73) in the property and ATTORNEY'S FEES shall be GRANTED.

Attorney Fontano to prepare an Order, from today's hearing.

INTERIM CONDITIONS:

FUTURE HEARINGS:

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 37 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint

COURT MINUTES

April 28, 2021

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

April 28, 2021 3:45 PM Minute Order

HEARD BY: Butler, Dee Smart

COURTROOM: Courtroom 05

COURT CLERK: Ameiona Ratcliff

PARTIES:

| | |
|--|--|
| Capucine Holmes, Plaintiff, not present | James Fontano, Attorney, not present |
| Kimberly Panfil, Intervenor, not present | Brent Blanchard, Attorney, not present |
| Wilbert Holmes, Defendant, not present | Gary Reeves, Attorney, not present |

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- MINUTE ORDER - NO HEARING HELD

Case No. D-15-523582-D

Capucine Yolanda Holmes, Plaintiff vs. Wilbert Roy Holmes, Defendant

Pursuant to NRCP 1 and EDCR 1.10, the procedure in district courts shall be administered to secure efficient, speedy, and inexpensive determinations in every action.

NCJC 2.11(A)(1) states:

(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.

COURT FINDS that Plaintiff Capucine "Cap" Yolanda Holmes is a personal friend and the court desires to continue and maintain the personal friendship. The Honorable Dee Butler has a personal

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 38 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

bias concerning Ms. Holmes and would like to see a favorable outcome for her. The COURT FINDS that her impartiality might be reasonably questioned due to the personal friendship.

NOW THEREFORE, IT IS HEREBY ORDERED that to avoid the appearance of impropriety and implied bias, the Court shall disqualify itself.

IT IS FURTHER ORDERED that the Clerk of Court shall randomly reassign the matter to another department.

IT IS FURTHER ORDERED that the Court Clerk shall provide a copy of this Minute Order to all parties.

CLERK'S NOTE: On 4/28/2021 a copy of the Court's Minute Order was provided to each Attorney or Parties via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (ajr)

INTERIM CONDITIONS:

FUTURE HEARINGS:

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 39 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

July 27, 2021

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

July 27, 2021 2:00 PM Minute Order

HEARD BY: Almase, Heidi**COURTROOM:** Chambers**COURT CLERK:** Quentin Mansfield**PARTIES:**

| | |
|--|--|
| Capucine Holmes, Plaintiff, not present | James Fontano, Attorney, not present |
| Kimberly Panfil, Intervenor, not present | Brent Blanchard, Attorney, not present |
| Wilbert Holmes, Defendant, not present | Gary Reeves, Attorney, not present |

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- MINUTE ORDER - NO HEARING HELD - NO APPEARANCES

This matter is scheduled for Chambers review on July 28, 2021 on Defendant Wilbert R. Holmes May 24, 2021 Motion to Reverse/Drop/Withdrawal of Motion for Request for Order to Revise Property Settlement [sic].

This Court exercises authority granted it pursuant to NRCP 1 and EDCR 1.10 which provide district court dockets shall be administered to secure speedy, efficient and inexpensive determinations in every action.

On June 9, 2021, this Court filed a written order resolving Defendant s May 24, 2021 Motion to Reverse et al. See Order at p.3, ll.9-11 and p.6, ll.8-11 (filed June 9, 2021). Accordingly, it appears to this Court, the above-listed matter was left on calendar in ERROR. Therefore, the Court ORDERS the July 28, 2021 chambers matter VACATED.

CLERK S NOTE: On 07/27/2021 a copy of the Court s Minute Order was provided to Defendant and to Plaintiff s Attorney of record via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (qm)

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 40 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

INTERIM CONDITIONS:

FUTURE HEARINGS:

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 41 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

July 29, 2021

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

July 29, 2021 10:00 AM All Pending Motions

HEARD BY: Almase, Heidi**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** Quentin Mansfield**PARTIES:**

| | |
|--|--|
| Capucine Holmes, Plaintiff, not present | James Fontano, Attorney, present |
| Kimberly Panfil, Intervenor, not present | Brent Blanchard, Attorney, not present |
| Wilbert Holmes, Defendant, not present | Gary Reeves, Attorney, not present |

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- MOTION: MOTION FOR SANCTIONS PURSUANT TO NRCP 11... MOTION: MOTION TO REVERSE/DROP WITHDRAWAL OF MOTION FOR REQUEST FOR ORDER TO REVERSE PROPERTY SETTLEMENT... MOTION: MOTION FOR REQUEST FOR ORDER TO REVISE PROPERTY SETTLEMENT

In the interest of public safety due to the Coronavirus pandemic, Plaintiff's counsel was present via VIDEO CONFERENCE through the BlueJeans application. Plaintiff's appearance was WAIVED and Defendant, Wilbert Holmes, failed to appear.

Court reviewed the record and noted the pleadings on file.

Upon inquiry of the Court, Mr. Fontano, counsel for Plaintiff, Capucine Holmes, stated Defendant filed a Motion to Withdraw which caused Mr. Fontano not to file his Motion for Sanctions. Mr. Fontano then stated another motion was filed by Defendant reversing his withdrawal of his motion which caused Mr. Fontano to file the Motion for Sanctions.

Upon inquiry of the Court, Mr. Fontano requested attorney's fees for his client. The Court referenced the Order from 02/04/2020 which authorized Plaintiff to obtain a key to the parties' property in order

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 42 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

to enter the property and list it for sale. Upon inquiry of the Court, Mr. Fontano affirmed this was the Court's order.

COURT stated its FINDINGS and ORDERED the following:

1. Plaintiff's Request to Enforce the 02/04/2020 Order is hereby GRANTED.
2. ATTORNEY'S FEES: The Court directed counsel to submit a Brunzell Affidavit and Memorandum of Fees and Costs leaving a blank in the order for the Court to enter an amount. Said amount shall be REDUCED to JUDGMENT collectable by any legal means bearing the legal rate of interest until paid in full.
3. Mr. Fontano shall prepare the order and submit to the Court for signature.

CLERK'S NOTE: On 07/30/2021 a copy of the Court's Minute Order was provided to Defendant and to Plaintiff s Attorney of record via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (qm)

INTERIM CONDITIONS:

FUTURE HEARINGS:

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 43 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

November 09, 2021

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

**November 09,
2021****10:00 AM****All Pending Motions****HEARD BY:** Almase, Heidi**COURTROOM:** RJC Courtroom 05C**COURT CLERK:** Quentin Mansfield**PARTIES:**

Capucine Holmes, Plaintiff, present
Kimberly Panfil, Intervenor, present
Wilbert Holmes, Defendant, present

James Fontano, Attorney, present
Brent Blanchard, Attorney, not present
Gary Reeves, Attorney, present

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- OPPOSITION: OPPOSITION TO MOTION TO STAY AUGUST 10, 2021 ORDER FOR SANCTIONS
PENDING APPEAL... MOTION: MOTION TO STAY AUGUST 10, 2021 ORDER FOR SANCTIONS
PENDING APPEAL

In the interest of public safety due to the Coronavirus pandemic, all parties were present via VIDEO
CONFERENCE through the BlueJeans application. Plaintiff, Capucine Holmes, was not present.

Mr. Reeves informed the Court that he had been discharged by Mr. Holmes and would be filing a
notice of withdrawal. Upon inquiry of the Court, Mr. Reeves stated his law firm had been retained so
he would have to file a motion to withdraw.

Upon the matter being called, the COURT NOTED papers and pleadings on file. The Court noted the
appeal had been dismissed and the case had been closed. Mr. Reeves stated the Court was correct and
argued the motion was moot at this time. Mr. Fontano requested that the Court direct Defendant to
produce the key to the community residence as ordered by the Court.

Mr. Reeves informed the Court that there was a sale offer pending for the community residence. Mr.

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 44 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Reeves represented the sale of the house could resolve the entire matter. Mr. Fontano stated Plaintiff would entertain an offer from Defendant regarding the community residence.

COURT ORDERED the following:

1. The Motion to Stay SHALL be taken off calendar as MOOT.
2. The Court FINDS that the underlying appeal which the motion was based on was DISMISSED on 11/02/2021.

CLERK'S NOTE: On 11/23/2021 a copy of the Court s Minute Order was provided to each Attorney via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (qm)

INTERIM CONDITIONS:

FUTURE HEARINGS:

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 45 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

January 10, 2022

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

January 10, 2022 1:00 PM Minute Order

HEARD BY: Almase, Heidi**COURTROOM:** Chambers**COURT CLERK:** Quentin Mansfield**PARTIES:**

Capucine Holmes, Plaintiff, not present
Kimberly Panfil, Intervenor, not present
Wilbert Holmes, Defendant, not present

James Fontano, Attorney, not present
Brent Blanchard, Attorney, not present
Gary Reeves, Attorney, not present

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- MINUTE ORDER - NO HEARING HELD - NO APPEARANCES

This Court exercises authority granted it pursuant to NRCP 1 and EDCR 1.10 which provide district court dockets shall be administered to secure speedy, efficient and inexpensive determinations in every action.

Having reviewed the papers and pleadings before it and, good cause appearing, this Court issues its findings and orders.

On January 5, 2022 Defendant Wilbert (Wilbert) Roy Holmes filed an "Acknowledgment of Important Relevant Information". The Court FINDS the document is not in motion format, requests no relief from the Court and does not contain or have a separately filed Certificate of Service to Plaintiff Capucine (Capucine) Yolanda Holmes or her counsel of record James A. Fontano. No responsive pleading has been filed. The Court FINDS Wilbert's document appears to allege various acts of personal misconduct by Capucine and/or the Court. The Court FINDS some of the allegations related to Capucine are sexual in nature.

Because no request for relief is made in Wilbert's January 5, 2022 filing and, good cause appearing,

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 46 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

the Court ORDERS Defendant's January 5, 2022 "Acknowledgment of Important Relevant Information" STRICKEN.

CLERK'S NOTE: On 01/10/2022 a copy of the Court's Minute Order was provided to each Attorney via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (qm)

INTERIM CONDITIONS:

FUTURE HEARINGS:

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 47 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

January 11, 2022

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

January 11, 2022 1:00 PM Minute Order

HEARD BY: Almase, Heidi**COURTROOM:** Chambers**COURT CLERK:** Quentin Mansfield**PARTIES:**

Capucine Holmes, Plaintiff, not present
Kimberly Panfil, Intervenor, not present
Wilbert Holmes, Defendant, not present

James Fontano, Attorney, not present
Brent Blanchard, Attorney, not present
Gary Reeves, Attorney, not present

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- MINUTE ORDER - NO HEARING HELD - NO APPEARANCES

This Court exercises authority granted it pursuant to NRCP 1 and EDCR 1.10 which provide district court dockets shall be administered to secure speedy, efficient and inexpensive determinations in every action.

Having reviewed the papers and pleadings before it and, good cause appearing, this Court issues its findings and orders.

On January 9, 2022 Defendant Wilbert (Wilbert) Roy Holmes filed a Motion for Stay Pending Appeal (Nevada Supreme Court docket number 83229). Attached to the pleading was a Certificate of Service to Plaintiff Capucine (Capucine) Yolanda Holmes' attorney of record, James Fontano. The Court FINDS the attached Certificate of Service lists service to attorney Fontano at 3890 S. Nellis Blvd., Las Vegas, NV 89121. The Court FINDS the listed address is not attorney Fontano's court-listed address: 5135 Camino El Norte, St. 273, N. Las Vegas, NV 89031. The Court further FINDS Wilbert failed to address any of the mandatory stay factors set forth in NRAP 8(c).

Therefore, good cause appearing, the Court ORDERS the February 28, 2022 hearing on Defendant's

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 48 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

January 9, 2022 Motion for Stay Pending Appeal VACATED for lack of proper service. In the event Wilbert elects to re-file and/or re-notice his Motion for Stay, he shall file a Certificate of Service to attorney Fontano's court-listed address.

CLERK'S NOTE: On 01/11/2022 a copy of the Court's Minute Order was provided to each Attorney via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (qm)

INTERIM CONDITIONS:

FUTURE HEARINGS:

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 49 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

January 12, 2022

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

January 12, 2022 1:00 PM Minute Order

HEARD BY: Almase, Heidi**COURTROOM:** Chambers**COURT CLERK:** Quentin Mansfield**PARTIES:**

Capucine Holmes, Plaintiff, not present
Kimberly Panfil, Intervenor, not present
Wilbert Holmes, Defendant, not present

James Fontano, Attorney, not present
Brent Blanchard, Attorney, not present
Gary Reeves, Attorney, not present

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- MINUTE ORDER - NO HEARING HELD - NO APPEARANCES

This Court exercises authority granted it pursuant to NRCP 1 and EDCR 1.10 which provide district court dockets shall be administered to secure speedy, efficient and inexpensive determinations in every action.

Having reviewed the papers and pleadings before it and, good cause appearing, this Court issues its findings and orders.

On January 11, 2022 Defendant Wilbert (Wilbert) Roy Holmes filed a second Motion for Stay Pending Appeal following this Court's January 11, 2021 minutes vacating his January 9, 2022 Motion for Stay Pending Appeal due to service defect. See January 11, 2022 Minutes. In support of his renewed Motion for Stay, Wilbert filed an Ex parte Application for Order Shortening Time (OST). In support of his request, signed under penalty of perjury, Wilbert argued an OST was warranted due to "[a] time sensitive date of January 17 is pending for a stay for a Supreme Ct [sic] Appeal Decision." The Court FINDS no further information is provided in the Ex parte Application or in Wilbert's January 11, 2022 Motion for Stay. The Court FINDS there are ten (10) appeals associated with this matter and Nevada Supreme Court case number 83229 appears to be the only open case of the ten associated

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 50 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

appeals. The Court FINDS, a review of Hughes v. Holmes, case number 83229 (Nevada Supreme Court), indicates no matter pending decision and/or due date of January 17 as alleged by Wilbert. The Court FINDS the docket for case number 83229 last lists a January 11, 2022 Case Update Status indicating "Briefing Completed/Submitted for Decision/To Screening". Thus, absent any other information in Wilbert's January 11, 2022 Motion for Stay or his Ex parte Application, the Court FINDS Wilbert's "time sensitive" assertion inaccurate if not outright false.

Accordingly, good cause appearing, the Court ORDERS and denies Wilbert's Ex parte Application for Order Shortening Time. The Court anticipates the Clerk of the Court will issue a Notice of Hearing for Wilbert's January 11, 2022 Motion for Stay Pending Appeal which will schedule the motion for hearing in ordinary course.

CLERK'S NOTE: On 01/12/2022 a copy of the Court's Minute Order was provided to Defendant and to Plaintiff's Attorney of record via email, if an email address is on record with the Court; if no email address is available then the Minute Order was mailed to the physical address of record. (qm)

INTERIM CONDITIONS:

FUTURE HEARINGS:

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 51 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES****May 16, 2022**

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

May 16, 2022 10:00 AM Motion

HEARD BY: Almase, Heidi**COURTROOM:** RJC Courtroom 03B**COURT CLERK:** Tonya Mulvenon**PARTIES:**

| | |
|--|--|
| Capucine Holmes, Plaintiff, not present | James Fontano, Attorney, present |
| Kimberly Panfil, Intervenor, not present | Brent Blanchard, Attorney, not present |
| Wilbert Holmes, Defendant, present | Pro Se |

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- PLAINTIFF'S MOTION FOR ORDER REQUIRING DEFENDANT TO APPEAR AND SHOW CAUSE WHY DEFENDANT SHOULD NOT BE HELD IN CONTEMPT AND MOTION FOR (1) AN ORDER COMPELLING DEFENDANT TO COMPLY WITH DECREE OF DIVORCE; (2) AN ORDER FOR THE IMMEDIATE SALE OF MARITAL RESIDENCE AND THAT DEFENDANT COOPERATE WITH THE SALE; (3) AN ORDER COMPELLING DEFENDANT TO DELIVER KEYS TO THE RESIDENCE; AND (4) FOR PLAINTIFF'S ATTORNEY FEES AND COSTS; AND RELATED RELIEF

Upon Inquiry by the Court, Mr. Fontano requested that his client's presence be waived.

Court noted a review of the pleadings and papers on file.

Mr. Fontano represented that an offer was made on the marital residence, and the potential buyer could not pay off the liens on the home. Mr. Fontano noted that he would like Defendant to comply with the sale of the property as his client would like her share of the proceeds. Mr. Fontano expressed that Defendant has filed multiple appeals and deliberately avoided the deal to avoid paying off Plaintiff.

The Court discussed the sale of property and the duration of the divorce proceedings.

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 52 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Mr. Fontano indicated that he filed an updated payoff list, and as long as escrow is in place, they would distribute the funds accordingly. Defendant argued that Mr. Fontano's fees are costly and requested a full accounting of the fees. Defendant noted that the house is pending sale. Defendant provided additional statements.

COURT NOTED that a previous request for an Order to Show Cause (OSC) was granted on April 7th and was served by Notice of Entry Order. Today, the OSC is not scheduled for a hearing. Upon Inquiry, Mr. Fontano confirmed that the court-ordered Defendant's appearance for today' satisfies that.

Court inquired if Mr. Fontano is requesting additional attorney's fees. Mr. Fontano stated that he would not be submitting another request for attorney's fees. Further discussion.

Court stated its FINDINGS and COURT ORDERED as follows,

ORDER TO SHOW CAUSE, Court confirmed that Defendant appeared for today.

The request for All FEES and COSTS related to the sale of the marital residence shall be GRANTED, reduced to judgment collectible by any means.

Plaintiff's list of Personal Property in the sum of \$42,440.00 for listed personal property as supplemental EXHIBIT A shall be GRANTED.

Defendant shall execute all CLOSING DOCUMENTS.

Mr. Fontano to prepare the order for today's hearing.

INTERIM CONDITIONS:

FUTURE HEARINGS:

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 53 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Divorce - Complaint**COURT MINUTES**

January 03, 2023

D-15-523582-D Capucine Yolanda Holmes, Plaintiff
vs.
Wilbert Roy Holmes, Defendant.

January 03, 2023 7:45 AM Minute Order

HEARD BY: Almase, Heidi**COURTROOM:** Chambers**COURT CLERK:** Omynisha Green**PARTIES:**

| | |
|--|---------------------------------------|
| Capucine Holmes, Plaintiff, not present | William Heaton, Attorney, not present |
| Kimberly Panfil, Intervenor, not present | |
| Wilbert Holmes, Defendant, not present | Pro Se |

| |
|------------------------|
| JOURNAL ENTRIES |
|------------------------|

- MINUTE ORDER NO HEARING HELD

This Court exercises authority granted it pursuant to NRCP 1 and EDCR 1.10 which provide district court dockets shall be administered to secure speedy, efficient and inexpensive determinations in every action.

Having reviewed the papers and pleadings before it and, good cause appearing, this Court issues its findings and orders.

On December 31, 2022 Defendant Wilbert (Wilbert) Roy Holmes filed a Motion for Clarification. The Court FINDS there is no caption page for this document but only a narrative with various exhibits attached. On January 1, 2023, Wilbert filed a Motion for Clarification of Unjust Divorce Decree, also without a caption page and in narrative format with exhibits attached. The Court FINDS there are no certificates of service attached or separately filed for either pleading. The Court FINDS neither document contains a request for hearing or for chambers review. The Court FINDS this matter is currently on appeal. See Holmes v. Holmes, Docket No. 84812 (NV-COA).

Therefore, good cause appearing, the Court ORDERS Wilbert shall correct both filings to include

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 54 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

caption pages indicating his request for a hearing or, alternatively, for chambers review (NO hearing requested). The Court ORDERS Wilbert shall have fourteen (14) days from entry of these minutes to make the ordered corrections to his December 31, 2022 and January 1, 2023 motions. Failure to timely make the ordered corrections will result in no hearing or other review of the pleadings being scheduled.

Clerk s Note: A copy of today s minute order distributed accordingly. (01/03/2023 og)

INTERIM CONDITIONS:

FUTURE HEARINGS:

| | | | | |
|-------------|------------|---------------|---------------|----------------|
| PRINT DATE: | 03/16/2023 | Page 55 of 55 | Minutes Date: | March 30, 2016 |
|-------------|------------|---------------|---------------|----------------|

Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Marsha Kimble Simms, Esq.
Nevada Bar No. 008530
The Simms Law Firm, LLC
2560 W. Brooks Ave., Suite 101
North Las Vegas, Nevada 89032
(702) 333-1449 (O), 702-644-0457 (F)
simmslawfirm@aol.com
Attorney for Plaintiff

~~23. Justin Nodinger report~~

Plaintiff's

EXHIBITS

CASE NO D-15-523582-1

ADMITTED

OFFERED[illegible]

D15 523 582D

IX. LIST OF EXHIBITS

I intend to introduce the following exhibits at trial:

1. ~~EXHIBIT A~~ My proposed distribution of property and debts is attached as
2. ~~EXHIBIT B~~ Recorded deeds and documents showing ownership in real property
3. ~~EXHIBIT C~~ Letter document showing reverse mortgage required release from plaintiff
4. ~~EXHIBIT D~~ Court required certified property appraisals
5. ~~EXHIBIT E~~ Violated fiduciary duties and immoral actions resulting in financial loss and hardship
6. ~~EXHIBIT F~~ see exhibit E documents..also
7. ~~EXHIBIT G~~ Detail from IED case filed in NLV court
8. ~~EXHIBIT H~~ Letter from Nevada Legal Aid Center

| OFFERED | OBJECTION | ADMITTED |
|---------|-----------|----------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

X. UNUSUAL ISSUES TO BE PRESENTED AT TRIAL

The following unusual legal or factual issues may be presented at trial: _____

These would be Exhibits E and F showing "some of !" the plaintiffs adulterous extramarital affairs and activities that factually date back to 2004. These "bisexual affairs" and events has caused marital discourse and financial and mental stress upon myself. Thusly the true reason for the dissolution of a happy marriage.

EXHIBIT ~~A~~ 7/3/02 APPRAISAL
 11 ✓ C2 6/5/14 APPRAISAL

| | | |
|---|---|---------|
| | | |
| X | X | |
| X | X | 1/10/17 |

XI. LENGTH OF TRIAL

This trial should take approximately ____ 1 ____ x ☒ hours / ☐ days.

DATED January 2, 2017 . 2017

Submitted By: 

(print your name)

WILBERT R. HOLMES

Defendant's

EXHIBITS

CASE NO D-15-523582-U

ADMITTED

OFFERED

[illegible]



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

WILBERT R. HOLMES
211 CATHERINE ST.
ELIZABETH, NJ 07201

DATE: March 16, 2023
CASE: D-15-523582-D

RE CASE: CAPUCINE YOLANDA HOLMES vs. WILBERT ROY HOLMES

NOTICE OF APPEAL FILED: March 14, 2023

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS NOT TRANSMITTED HAVE BEEN MARKED:

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)**
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☒ \$24 – District Court Filing Fee (Make Check Payable to the District Court)**
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)**
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
- ☐ Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- ☐ Written Order
- ☒ Notice of Entry of Written Order

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

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

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

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

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; ORDER DENYING DEFENDANT'S FEBRUARY 20, 2023 MOTION FOR CLARIFICATION AND FEBRUARY 28, 2023 MOTION FOR STAY PURSUANT TO EDCR 5.503(1) AND GRANTING PLAINTIFF'S MARCH 11, 2023 COUNTERMOTION AND VACATING APRIL 24, 2023 HEARING; ; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

CAPUCINE YOLANDA HOLMES,

Plaintiff(s),

vs.

WILBERT ROY HOLMES,

Defendant(s),

Case No: D-15-523582-D

Dept No: X

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 16 day of March 2023.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk