

Elizabeth A. Brown
CLERK OF THE COURT

IN THE SUPREME COURT OF THE STATE OF NEVADA

DR. KIMBERLY WHITE, Pro se
10461 Hartford Hills Ave
Las Vegas, NV 89166
702-982-0191
kwhite_writer@hotmail.com
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA, IN AND FOR THE
COUNTY OF CLARK; AND THE HONORABLE
VINCENT OCHOA, DISTRICT JUDGE,

MARK J. McGANNON, Attorney for Plaintiff,
Tamika Jones,

Christopher C Judson, Defendant

Respondents.

Supreme Court Case No.:

8th Judicial District Court Case No.:
D594413

Electronically Filed
May 04 2023 11:23 AM
Elizabeth A. Brown
Clerk of Supreme Court

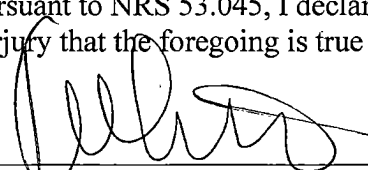
NOTICE OF INTENT TO APPEAL

NOTICE OF INTENT TO APPEAL

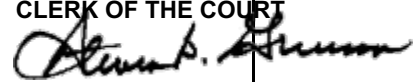
Notice of Intent to Appeal to the Supreme Court From a Judgment of District Court case No.
D594413 Dept. S.

Notice is hereby given that Kimberly White, Intervenor above named, hereby appeals to the
Supreme Court of Nevada from the order entered in this action on the 29th day of March, 2023.

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



Kimberly White
10461 Hartford Hills Ave
Las Vegas, NV 89166
702-982-0191
kwhite_writer@hotmail.com



ASTA

**IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA IN AND FOR
THE COUNTY OF CLARK**

TAMIKA BEATRICE JONES,

Plaintiff(s),

vs.

CHRISTOPHER CHARLES JUDSON,

Defendant(s),

vs.

KIMBERLY WHITE,

Intervenor(s).

Case No: D-19-594413-C

Dept No: S

CASE APPEAL STATEMENT

1. Appellant(s): Kimberly White

2. Judge: Vincent Ochoa

3. Appellant(s): Kimberly White

Counsel:

Kimberly White
10461 Hartford Hills Ave.
Las Vegas, NV 89166

4. Respondent (s): Tamika Beatrice Jones

Counsel:

Mark J. McGannon, Esq.
5550 Painted Mirage Rd., Suite 320
Las Vegas, NV 89149

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

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

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

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

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

***Expires 1 year from date filed*

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

9. Date Commenced in District Court: August 12, 2019

10. Brief Description of the Nature of the Action: DOMESTIC - Child Custody

Type of Judgment or Order Being Appealed: Judgment

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

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

13. Possibility of Settlement: Unknown

Dated This 3 day of May 2023.

Steven D. Grierson, Clerk of the Court

/s/ Heather Ungermann

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

cc: Kimberly White

CASE SUMMARY

CASE NO. D-19-594413-C

Tamika Beatrice Jones, Plaintiff.
vs.
Christopher Charles Judson, Defendant.

§
§
§
§

Location: **Department S**
 Judicial Officer: **Ochoa, Vincent**
 Filed on: **08/12/2019**

CASE INFORMATION

Related Cases

D-19-594473-C (1J1F Related - Rule 5.103)
 D-22-641477-V (1J1F Related - Rule 5.103)
 D-22-642136-V (1J1F Related - Rule 5.103)
 R-19-211539-R (1J1F Related - Rule 5.103)

Case Type: **Child Custody Complaint**

Case Status: **03/29/2023 Closed**

Statistical Closures

03/29/2023 Judgment Reached (Bench Trial)
 10/19/2022 Settled/Withdrawn Without Judicial Conference or Hearing
 04/01/2021 Settled/Withdrawn With Judicial Conference or Hearing

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number D-19-594413-C
 Court Department S
 Date Assigned 08/12/2019
 Judicial Officer Ochoa, Vincent

PARTY INFORMATION

Plaintiff **Jones, Tamika Beatrice**
Defendant **Judson, Christopher Charles**

Pro Se
 702-788-7977(H)


Subject Minor **Judson, Xaia Mahoghany**
Judson, Xionne Re'my
Judson, Xy'Shone Christopher


Unbundled Attorney **McGannon, Mark J**


DATE


EVENTS & ORDERS OF THE COURT


EVENTS

05/03/2023  Case Appeal Statement
Case Appeal Statement

05/01/2023  Notice of Appeal
 Filed By: Intervenor White, Kimberly
[104] Notice of Intent to Appeal


















03/30/2023  Notice of Entry
 Filed By: Plaintiff Jones, Tamika Beatrice
[103] Notice of Entry of Order

03/29/2023  Findings of Fact, Conclusions of Law and Judgment
[102] FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

02/12/2023  Memorandum

CASE SUMMARY

CASE NO. D-19-594413-C

	Filed By: Intervenor White, Kimberly <i>[101] Memorandum: Proposed Grandparent Visitation Schedule</i>
02/07/2023	 Clerk's Notice of Hearing Party: Intervenor White, Kimberly <i>[100] Clerk's Notice of Hearing</i>
02/02/2023	 Pre-trial Memorandum Filed By: Intervenor White, Kimberly <i>[99] Pre-trial Memorandum</i>
02/01/2023	 Clerk's Notice of Hearing <i>[98] Clerk's Notice of Hearing</i>
01/31/2023	 Motion Filed By: Intervenor White, Kimberly <i>[97] Intervenor's Motion for the Court to Request Records from Nevada and Michigan CPS Regarding Plaintiff and Minor Children</i>
01/30/2023	 Audiovisual Transmission Equipment Appearance Request <i>[96] Video Appearance Request</i>
01/29/2023	 Pre-trial Memorandum Filed By: Plaintiff Jones, Tamika Beatrice <i>[95] Plaintiff's Pre-trial Memorandum</i>
11/18/2022	 Notice of Entry Filed By: Plaintiff Jones, Tamika Beatrice <i>[94] Notice of Entry of Order</i>
11/18/2022	 Order <i>[93] JONES.TAMIKA - Order for Paternity Testing 11.16.22_</i>
10/20/2022	 Notice of Entry of Order Filed By: Intervenor White, Kimberly <i>[92] Notice of Entry of Order Granting Withdrawal</i>
10/19/2022	 Order to Withdraw as Attorney of Record <i>[91] Order Granting Withdrawal</i>
09/26/2022	 Certificate of Service Filed by: Intervenor White, Kimberly <i>[90] Certificate of Service of Notice of Hearing</i>
09/23/2022	 Notice of Hearing <i>[89] Notice of Hearing</i>
09/14/2022	 Notice of Entry Filed By: Plaintiff Jones, Tamika Beatrice <i>[88] Notice of Entry</i>
09/14/2022	 Order <i>[87] JONES.TAMIKA - revised OAH - hearing date 6.16.22 (final)</i>
09/14/2022	 Certificate of Mailing Filed By: Intervenor White, Kimberly <i>[86] Certificate of Mailing Motion to Withdraw</i>
09/14/2022	 Motion for Withdrawal Filed By: Intervenor White, Kimberly <i>[85] Motion To Withdraw as Attorney of Record</i>
05/31/2022	 Reply to Opposition Filed by: Plaintiff Jones, Tamika Beatrice <i>[84] PLAINTIFFS REPLY TO OPPOSITION TO MOTION TO CONTINUE EVIDENTIARY HEARING AND</i>

CASE SUMMARY
















CASE NO. D-19-594413-C

OPPOSITION TO COUNTERMOTION TO PROCEED WITH ALLOWING THE INTERVENOR TO REQUEST CUSTODY OF THE MINOR CHILDREN OR/TO REINSTATE OR RE-OPEN THE GUARDIANSHIP CASE THAT WAS PREVIOUSLY INITIATED BY THE INTERVENOR

05/23/2022	 Notice of Entry Filed By: Plaintiff Jones, Tamika Beatrice <i>[83] Notice of Entry of Order</i>
05/23/2022	 Stipulation and Order <i>[82] Stipulation and Order to Continue Hearing</i>
05/12/2022	 Amended Filed By: Intervenor White, Kimberly <i>[81] Amended Opposition and Countermotion</i>
05/12/2022	 Exhibits Filed By: Intervenor White, Kimberly <i>[80] Appendix of Exhibits to Opposition and Countermotion</i>
05/11/2022	 Opposition and Countermotion Filed By: Intervenor White, Kimberly <i>[79] Opposition to Motion to Continue Evidentiary Hearing and Countermotion for the Court to Proceed with Allowing the Intervenor to Request Custody of the Minor Children or/ to Reinstate or Re-Open the Guardianship case that was Previously Initiated by the Intervenor</i>
05/04/2022	 Notice of Withdrawal Filed by: Intervenor White, Kimberly <i>[78] Notice of Withdrawal of Attorney</i>
05/03/2022	 Ex Parte Application Filed by: Plaintiff Jones, Tamika Beatrice <i>[77] Ex-Party Application for an Order Shortening Time</i>
05/03/2022	 Notice of Hearing <i>[76] Notice of Hearing</i>
05/02/2022	 Exhibits Filed By: Plaintiff Jones, Tamika Beatrice <i>[75] EXHIBITS IN SUPPORT OF MOTION TO CONTINUE EVIDENTIARY</i>
05/02/2022	 Motion Filed By: Plaintiff Jones, Tamika Beatrice <i>[74] Motion to Continue Evidentiary Hearing</i>
04/19/2022	 Notice of Appearance Party: Intervenor White, Kimberly <i>[73] Notice of Appearance</i>
04/18/2022	 Ex Parte Motion Filed by: Intervenor White, Kimberly <i>[72] EX PARTE APPLICATION FOR AN ORDER SHORTENING TIME</i>
03/25/2022	 Notice of Entry of Order/Judgment Filed by: Intervenor White, Kimberly <i>[71] Notice of entry of Order for Order to Withdraw</i>
03/24/2022	 Order to Withdraw as Attorney of Record <i>[70] Order to Withdraw</i>
02/04/2022	 Notice of Hearing <i>[69] Notice of Hearing</i>
02/03/2022	 Motion Filed By: Intervenor White, Kimberly <i>[68] Motion to Withdrawal as Counsel of Record</i>


















CASE SUMMARY

CASE NO. D-19-594413-C

01/26/2022	 Order <i>[67] Jones, Tamika</i>
01/26/2022	 Order Setting Evidentiary Hearing <i>[66] Order Setting Evidentiary Hearing</i>
01/25/2022	 Notice of Entry Filed By: Plaintiff Jones, Tamika Beatrice <i>[65] Notice of Entry of Order</i>
01/25/2022	 Order <i>[64] Order After Hearing</i>
01/20/2022	 Order for Family Mediation Center Services <i>[63] Order for Family Mediation Center Services</i>
01/19/2022	 Opposition Filed By: Plaintiff Jones, Tamika Beatrice <i>[62] Opposition To Intervenor's Countermotion For An Order To Show Cause As To Why Plaintiff Should Not Be Held In Contempt Of Court Pursuant To NRS 1.210(3), NRS 22.100, And NRS 22.110; For The Court To Find Plaintiff Guilty Of Child Abduction; For Immediate Return Of The Remaining Minor Child To Las Vegas, Nevada; For Attorneys Fee's And Costs; And Related Relief</i>
01/17/2022	 Exhibits Filed By: Intervenor White, Kimberly <i>[61] Exhibit Appendix in Support of Intervenor's Opposition to Plaintiff's Emergency Motion for Stay of Order for Return of Child and Plaintiff's Emergency Ex Parte Motion for Stay of Order for Return of Child and Countermotion for an Order to Show Cause as to Why Plaintiff Should Not be Held in Contempt of Court Pursuant to NRS 1.20(3), NRS 22.100, and NRS 22.110; For the Court to Find Plaintiff Guilty of Child Abduction; For Immediate Return of the Remaining Minor Child to Las Vegas, Nevada; For Attorney's Fees and Costs; and Related Relief.</i>
01/05/2022	 Opposition and Countermotion Filed By: Intervenor White, Kimberly Party 2: Plaintiff Jones, Tamika Beatrice <i>[60] Intervenor's Opposition to Plaintiff's Emergency Motion for Stay of Order for Return of Child and Plaintiff's Emergency Ex Parte Motion for Stay of Order for Return of Child and Countermotion for an Order to Show Cause as to Why Plaintiff Should Not be Held in Contempt of Court Pursuant to NRS 1.20(3), NRS 22.100, and NRS 22.110; For the Court to Find Plaintiff Guilty of Child Abduction; For Immediate Return of the Remaining Minor Child to Las Vegas, Nevada; For Attorney's Fees and Costs; and Related Relief</i>
01/05/2022	 Substitution of Attorney Filed By: Intervenor White, Kimberly <i>[59] Substitution of Counsel</i>
12/13/2021	 Addendum Filed By: Plaintiff Jones, Tamika Beatrice <i>[58] Addendum To Ex Parte Application For An Order Shortening Time To Include Exhibit 12</i>
12/13/2021	 Ex Parte <i>[57] EX-PARTE APPLICATION FOR AN ORDER SHORTENING TIME</i>
12/07/2021	 Notice of Hearing <i>[56] Notice of Hearing</i>
11/19/2021	 Notice of Entry Filed By: Plaintiff Jones, Tamika Beatrice <i>[55] NOTICE OF ENTRY OF ORDER</i>
11/19/2021	 Order Shortening Time <i>[54] ORDER SHORTENING TIME</i>
11/19/2021	 Ex Parte Filed By: Plaintiff Jones, Tamika Beatrice



















CASE SUMMARY

CASE NO. D-19-594413-C

	<i>[53] EX-PARTE APPLICATION FOR AN ORDER SHORTENING TIME</i>
11/18/2021	 Notice of Hearing <i>[52] Notice of Hearing</i>
11/18/2021	 Motion Filed By: Plaintiff Jones, Tamika Beatrice <i>[51] Emergency Motion For Stay Of Order For Return Of Children</i>
11/18/2021	 Ex Parte Filed By: Plaintiff Jones, Tamika Beatrice <i>[50] EMERGENCY EX-PARTE MOTION FOR STAY OF ORDER FOR RETURN OF CHILDREN</i>
09/25/2021	 Notice of Appearance Party: Plaintiff Jones, Tamika Beatrice <i>[49] Notice of Appearance</i>
03/30/2021	 Notice of Entry of Order Filed By: Intervenor White, Kimberly <i>[48] Notice of Entry of Order</i>
03/30/2021	 Notice of Entry of Order Filed By: Intervenor White, Kimberly <i>[47] Notice of Entry of Order</i>
03/30/2021	 Order <i>[46] Order for return of children</i>
03/29/2021	 Order <i>[45] White Order after Hearing</i>
12/18/2020	 Substitution of Attorney Filed By: Intervenor White, Kimberly <i>[44] Substitution of Attorney</i>
12/16/2020	 Ex Parte Motion Filed by: Intervenor White, Kimberly <i>[43] Ex Parte Motion For An Order Shortening Time</i>
12/10/2020	 Notice of Hearing <i>[42] Notice of hearing</i>
12/08/2020	 Motion to Enforce Filed by: Intervenor White, Kimberly <i>[41] Motion To Enforce Visitation Order, Contempt, A Pickup Order Of Minor Children And For Attorney s Fees And Costs</i>
12/08/2020	 Ex Parte Motion Filed by: Intervenor White, Kimberly <i>[40] Ex Parte Motion For Return of Children</i>
12/08/2020	 Notice of Appearance Party: Intervenor White, Kimberly <i>[39] Notice of Appearance</i>
11/25/2020	 Certificate of Mailing Filed By: Intervenor White, Kimberly <i>[38] Certificate of Mailing</i>
11/25/2020	 Notice of Hearing <i>[37] Notice of Hearing</i>
11/24/2020	 Certificate of Mailing Filed By: Subject Minor Judson, Xy'Shone Christopher <i>[36] Certificate of Mailing</i>

















CASE SUMMARY

CASE NO. D-19-594413-C

11/24/2020	 Motion Filed By: Subject Minor Judson, Xy'Shone Christopher <i>[35] Motion to Withdraw as Attorney of Record</i>
11/03/2020	 Order for Family Mediation Center Services <i>[34] Order for Family Mediation Center Services</i>
11/03/2020	 Notice of Entry of Order Filed By: Subject Minor Judson, Xy'Shone Christopher <i>[33] Notice of Entry of Order</i>
11/03/2020	 Notice of Entry of Order <i>[32] Notice of Entry of Order</i>
09/14/2020	 Order <i>[31] 2020 09 11 Order from 8.31.20 hearing</i>
09/14/2020	 Order <i>[30] 2020 09 11 Order from 8.5.20 hearing</i>
08/14/2020	 Notice of Hearing <i>[29] Notice of Hearing</i>
07/15/2020	 Notice of Motion Filed By: Subject Minor Judson, Xy'Shone Christopher <i>[28] Notice of Motion</i>
07/13/2020	 Motion to Intervene Filed by: Subject Minor Judson, Xy'Shone Christopher <i>[27] Paternal Grandmother's Motion to Intervene</i>
06/19/2020	 Notice of Appearance Party: Defendant Judson, Christopher Charles <i>[26] Notice of Appearance of Counsel</i>
04/15/2020	 Order for Family Mediation Center Services <i>[25] Order for Family Mediation Center Services</i>
02/11/2020	 Notice of Rescheduling of Hearing <i>[24] Notice of Rescheduling of Hearing</i>
02/05/2020	 Order Filed By: Plaintiff Jones, Tamika Beatrice; Defendant Judson, Christopher Charles; Subject Minor Judson, Xy'Shone Christopher; Subject Minor Judson, Xaia Mahoghany; Subject Minor Judson, Xionne Re'my <i>[23] Order After Hearing (12/05/19)</i>
01/26/2020	 Notice of Withdrawal Filed by: Plaintiff Jones, Tamika Beatrice <i>[22] Notice of Withdrawal of Unbundled Counsel for Defendant</i>
01/10/2020	 Notice of Withdrawal Filed by: Defendant Judson, Christopher Charles <i>[21] Notice of Withdrawal of Attorney for Defendant</i>
12/19/2019	 Ex Parte Application Filed by: Plaintiff Jones, Tamika Beatrice <i>[20] Exparte Application for an Order Shortening Time in which to Hear Plaintiff's Motion to Relocate and Other Relief</i>
12/19/2019	 Exhibits Filed By: Plaintiff Jones, Tamika Beatrice <i>[19] Plaintiff's Exhibits to Emergency Motion</i>
12/19/2019	 Motion

CASE SUMMARY

CASE NO. D-19-594413-C

	Filed By: Plaintiff Jones, Tamika Beatrice <i>[18] Emergency Motion for Permission to Relocate Immediately, for Temporary Sole Physical Custody, and Related Relief</i>
11/21/2019	 Notice of Rescheduling of Hearing <i>[17] Notice of Rescheduling of Hearing</i>
10/30/2019	 Notice of Entry of Order Filed By: Defendant Judson, Christopher Charles <i>[16] Notice of Entry of Order</i>
10/24/2019	 Order Filed By: Defendant Judson, Christopher Charles <i>[15] Order</i>
09/25/2019	 Notice of Change of Address Filed By: Plaintiff Jones, Tamika Beatrice <i>[14] Notice of Change of Address</i>
09/19/2019	 Order for Family Mediation Center Services <i>[13] Order for Family Mediation Center Services</i>
09/17/2019	 Certificate of Service Filed by: Defendant Judson, Christopher Charles <i>[12] Certificate of Service</i>
09/17/2019	 Exhibits Filed By: Defendant Judson, Christopher Charles <i>[11] Exhibits in Support of Defendant's Opposition & Countermotion</i>
09/17/2019	 Opposition Filed By: Defendant Judson, Christopher Charles <i>[10] Opposition and Countermotion</i>
09/09/2019	 NRCP 16.2 Case Management Conference Order <i>[9] Case Management Conference</i>
09/06/2019	 Answer Filed By: Defendant Judson, Christopher Charles <i>[8] Answer and Counterclaim for Custody, Visitation and child support</i>
08/16/2019	 Affidavit of Service Filed By: Plaintiff Jones, Tamika Beatrice <i>[7] Affidavit of Service</i>
08/14/2019	 Ex Parte Motion Filed by: Plaintiff Jones, Tamika Beatrice <i>[6] Ex Parte Motion for an Order Shortening Time</i>
08/12/2019	 Financial Disclosure Form Filed by: Plaintiff Jones, Tamika Beatrice <i>[5] Financial Disclosure Form</i>
08/12/2019	 Motion Filed By: Plaintiff Jones, Tamika Beatrice <i>[4] Plaintiff's Motion and Notice of Motion for Orders for Temporary Custody, Visitation, and/or Child Support</i>
08/12/2019	 Summons Issued Only Filed by: Plaintiff Jones, Tamika Beatrice <i>[3]</i>
08/12/2019	 Complaint for Custody Filed by: Plaintiff Jones, Tamika Beatrice <i>[2] Complaint for Custody and UCCJEA Declaration</i>

CASE SUMMARY

CASE NO. D-19-594413-C

08/12/2019



Application to Proceed in Forma Pauperis
Filed By: Plaintiff Jones, Tamika Beatrice
[1] Application to Proceed in Forma Pauperis

HEARINGS

03/20/2023

CANCELED Motion (1:30 PM) (Judicial Officer: Ochoa, Vincent)

Vacated

Motion for the Court to Request Records from Nevada and Michigan CPS Regarding Plaintiff and Minor Children

03/14/2023



Minute Order (2:20 PM) (Judicial Officer: Ochoa, Vincent)

Minute Order - No Hearing Held;

Journal Entry Details:

MINUTE ORDER FROM CHAMBERS 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), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 5.206, a party filing a motion is required to serve the opposing party with a copy of all papers filed within 3 calendar days of submission for filing. If after serving copies of the pleadings, the filing party receives a hearing time not contained in the original service, and notice of the hearing has not been provided by the clerk, the filing party must serve a notice of hearing on all other parties to the action, in accordance with the NRCP and these rules, within 3 days of receiving the hearing time. On January 31, 2023, Intervenor filed a Motion for the Court to Request Records from Nevada and Michigan CPS Regarding Plaintiff and Minor Children. There is no proof of service on file for the aforementioned Motion. Accordingly, proper service was not effectuated for Intervenor's Motion. The matter on Chamber's Calendar for March 14, 2023, SHALL BE VACATED. A copy of this minute order shall be provided to both parties. CLERK'S NOTE: A copy of this Minute Order was provided to all parties. (as 03/14/23);

03/14/2023

CANCELED Motion (3:00 AM) (Judicial Officer: Ochoa, Vincent)

Vacated - No Service

Intervenor's Motion for the Court to Request Records from Nevada and Michigan CPS Regarding Plaintiff and Minor Children

02/03/2023



All Pending Motions (9:00 AM) (Judicial Officer: Ochoa, Vincent)

Matter Heard;

Journal Entry Details:

EVIDENTIARY HEARING...RETURN HEARING: CHILD INTERVIEW Mr. McGannon, Plaintiff and Intervenor Kimberly White present via the bluejeans application. COURT NOTED, Ms. White has bad reception and would need to have video connection for trial. Mr. McGannon stated Ms. White filed a late pre-trial memo and is scrambling for a continuance. Mr. McGannon argued the Court set this trial date was set six (6) months ago. COURT NOTED, this trial date was for grandparent visitation, not custody. Opening statements. Parties SWORN and TESTIFIED. Mr. McGannon requested a direct verdict. Court denied Mr. McGannon's request. Further testimony from the Parties. Closing arguments. Court ORDERED, the matter shall be taken UNDER ADVISEMENT. The Court shall review the record and issue a written decision.;

02/03/2023

Return Hearing (9:00 AM) (Judicial Officer: Ochoa, Vincent)

Child Interview

Matter Heard;

02/03/2023

Evidentiary Hearing (9:00 AM) (Judicial Officer: Ochoa, Vincent)

Under Advisement;

11/01/2022

CANCELED Motion (3:00 AM) (Judicial Officer: Ochoa, Vincent)

Vacated - per Order

Motion to Withdraw as Attorney of Record

06/16/2022



All Pending Motions (10:15 AM) (Judicial Officer: Ochoa, Vincent)

Matter Heard;

Journal Entry Details:

PLAINTIFF'S MOTION TO CONTINUE EVIDENTIARY HEARING...INTERVENOR'S OPPOSITION TO MOTION TO CONTINUE THE EVIDENTIARY HEARING AND COUNTERMOTION FOR THE COURT TO PROCEED WITH ALLOWING THE INTERVENOR TO REQUEST CUSTODY OF THE MINOR CHILDREN/OR TO REINSTATE OR RE-OP THE GUARDIANSHIP CASE THAT WAS PREVIOUSLY INITIATED BY THE INTERVENOR Attorney Mark McGannon appeared by audiovisual for Plaintiff (Mother). Attorney Kari Molnar appeared by audiovisual for Intervenor (grandmother). Discussion regarding the summer vacation. Mr. McGannon stated the children were residing in Michigan. Plaintiff verified her address in Michigan. Arguments. Mr. McGannon requested Paternity test on all the children and discovery. Court was concerned about if this Court have Jurisdiction because Plaintiff and children reside in Michigan. Ms. Molnar

CASE SUMMARY

CASE NO. D-19-594413-C

addressed the signature on affidavit. COURT ORDERED, as follows: Court re-confirmed grandmother shall have the children from 7/11/22 until 7/25/22. It was confirmed grandmother will pay for the transportation of the children to and from Las Vegas. Grandmother shall provide to Plaintiff the ticket, the location of where she is taking the children, a telephone number to reach in case of an emergency The EH is reset from 7/22/22 to 2-3-23 at 9:00 AM. No more continuations. Discovery may be done. Any discovery issue will be dealt with the discovery commissioner. Plaintiff shall provide Defendant's address to her attorney and he will provide to Ms. Molnar. McGannon shall prepare an Order for Paternity test for the three children. If the father cannot be found, Grandmother may be tested. Grandmother custody request is DENIED. Grandmother may file a new complaint for custody and explain the reasons and the cases will be consolidated. Mr. McGannon shall prepare the order and Ms. Molnar shall review then sign off,;

06/16/2022

Opposition & Countermotion (10:15 AM) (Judicial Officer: Ochoa, Vincent)

Intervenor's Opposition to Motion to Continue Evidentiary Hearing and Countermotion for the Court to Proceed with Allowing the Intervenor to Request Custody of the Minor Children or/ to Reinstate or Re-Open the Guardianship case that was Previously Initiated by the Intervenor
Matter Heard;

06/16/2022

Motion (10:15 AM) (Judicial Officer: Ochoa, Vincent)

Plaintiff's Motion to Continue Evidentiary Hearing
Granted;

03/21/2022

CANCELED Motion for Withdrawal (2:30 PM) (Judicial Officer: Ochoa, Vincent)

Vacated
Intervenor's Motion to Withdrawal as Counsel of Record

03/18/2022



Minute Order (8:00 AM) (Judicial Officer: Ochoa, Vincent)

Minute Order - No Hearing Held;

Journal Entry Details:

MINUTE ORDER FROM CHAMBERS NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c), this Court can consider a motion and issue a decision on the papers at any time without a hearing. This Court has read and considered all current underlying pleadings in this matter. Julio Vigoreaux, Esq., the attorney of record for Intervenor, filed a Motion to Withdraw as Counsel of Record on February 03, 2022. A Certificate of Service was attached to the Motion to Withdraw filed on February 03, 2022. As of March 17, 2022, the parties have yet to file an opposition or other responsive pleading to the above-mentioned motion. Accordingly, based on the failure of the parties to file a timely opposition, Mr. Julio Vigoreaux s, motion is GRANTED as unopposed pursuant to EDCR 2.20(e) ("Failure of the opposing party to serve and file written opposition [to the motion within 14 days] may be construed as an admission that the motion and/or joinder is meritorious and a consent to granting the same."). The hearing currently set for March 21, 2022, is HEREBY VACATED. Julio Vigoreaux, Esq. SHALL prepare the Order. ;

01/26/2022

CANCELED Status Check (11:00 AM) (Judicial Officer: Ochoa, Vincent)

Vacated - per Stipulation and Order
Grandparents vistation

01/21/2022



Hearing (2:00 PM) (Judicial Officer: Ochoa, Vincent)

Matter Heard;

Journal Entry Details:

Attorney Mark McGannon appeared by audiovisual with Plaintiff (Mother). Attorney Julio Vigoreaux Jr. appeared by audiovisual with Intervenor (Grandmother). Defendant (Dad) appeared by audiovisual. Court noted there was a schedule for summer and telephone calls. Discussion. Court was concerned if Plaintiff understood the Order. Mr. McGannon discussed Plaintiff got written permission from Defendant to move. Mr. Vigoreaux stated there was currently an investigation by the Michigan CPS. Defendant appeared and canvassed. Defendant indicated he was not aware where the children were Defendant agreed that the children can go to Michigan. Court warned Plaintiff about disobeying Court's Order and if history repeats itself there will be serious consequences. Grandmother stated her concerns. COURT ORDERED, as follows: Mr. McGannon shall prepare an order that reflects grandmother parental visitation Order with telephone visits, and that Plaintiff is aware of that order and will follow and obey the order, or there shall be consequences if she does not. Plaintiff shall sign the order which will reflect she is aware of the order. The visitation order is as follows from the 2/24/21 hearing: Temporarily grandmother shall have telephone contact with the children on Tuesday and Thursday at 6:00 PM or 6:30 PM Michigan time. Temporarily if Mother is going to reside in Michigan, grandmother shall get 2-3 weeks in the summer, one week spring and one week in the winter. If Michigan CPS has concerns they shall submit documentation to this Court. The children shall return to Michigan unless the NV or Michigan CPS ask the children remain in Nevada. If Grandmother transport the children back to Michigan it shall be at her expense. Counsel shall notify Michigan CPS the children are returning to Michigan. The EH STANDS on 7/22/22. The child interview STANDS. Arrangements for the child interview shall be made even though it may be by video. Mr. McGannon shall prepare the Order and Mr. Vigoreaux shall review then sign off,;

CASE SUMMARY

CASE NO. D-19-594413-C

01/20/2022



All Pending Motions (10:15 AM) (Judicial Officer: Ochoa, Vincent)

Matter Heard;

Journal Entry Details:

EMERGENCY MOTION FOR STAY OF ORDER FOR RETURN OF CHILDREN...PICK UP ORDER....INTERVENOR'S OPPOSITION TO PLAINTIFF'S EMERGENCY MOTION FOR STAY OF ORDER FOR RETURN OF CHILD AND PLAINTIFF'S EMERGENCY EX PARTE MOTION FOR STAY OF ORDERS FOR RETURN CHILD AND COUNTERMOTION FOR AN ORDER TO SHOW CAUSE AS TO WHY PLAINTIFF SHOULD NOT BE HELD IN CONTEMPT OF COURT PURSUANT TO NRS1.20(3), NRS 22.100, AND NRS 22.110; FOR THE COURT TO FIND PLAINTIFF GUILTY OF CHILD ABDUCTION; FOR IMMEDIATE RETURN OF THE REMAINING MINOR CHILD TO LAS VEGAS, NEVADA; FOR ATTORNEY'S FEES AND COSTS; AND RELATED RELIEF Attorney Mark McGannon appeared by audiovisual with Plaintiff. Attorney Julio Vigoreaux Jr. appeared by audiovisual with Intervenor (grandmother). After inquiry Mr. McGannon stated Plaintiff was in Nevada right now. Court recapped the history. Arguments by both Counsel. Court cited Lawrimore vs Lawrimore 461 Pacific 3rd 896; Hudson vs Jones 122 NV 708 2006. Court clarified Court will not terminate custody of the parents. Mr. Vigoreaux confirmed two of the children are in Nevada and the other one is in Michigan. Discussion. COURT ORDERED, as follows: The child Xyshone C. Judson shall be referred to Family Mediation Center(FMC) for a child interview. Status check set 1/26/22 at 11:00 AM., for Parties to agree on visitation rights by telephone and also in person for the grandmother when the children are not in school. Assurances from the Parents that they are going to obey the Order. If an agreement is reached on visitation Court will close the case. If the visitation is denied there will be a pick-up order. Plaintiff may amend her pleadings before the trial date. If Plaintiff is in Nevada, she may have supervised visitation and have telephone and video visits EH SET 7/22/22 at 9:00 AM. Scheduling Order will be sent out by the Court.;

01/20/2022

Motion (10:15 AM) (Judicial Officer: Ochoa, Vincent)

Plaintiff's Opposition To Intervenor's Countermotion For An Order To Show Cause As To Why Plaintiff Should Not Be Held In Contempt Of Court Pursuant To NRS 1.210(3), NRS 22.100, And NRS 22.110; For The Court To Find Plaintiff Guilty Of Child Abduction; For Immediate Return Of The Remaining Minor Child To Las Vegas, Nevada; For Attorneys Fee's And Costs; And Related Relief

Matter Heard;

01/20/2022

Opposition & Countermotion (10:15 AM) (Judicial Officer: Ochoa, Vincent)

Intervenor's Opposition to Plaintiff's Emergency Motion for Stay of Order for Return of Child and Plaintiff's Emergency Ex Parte Motion for Stay of Order for Return of Child and Countermotion for an Order to Show Cause as to Why Plaintiff Should Not be Held in Contempt of Court Pursuant to NRS 1.20(3), NRS 22.100, and NRS 22.110; For the Court to Find Plaintiff Guilty of Child Abduction; For Immediate Return of the Remaining Minor Child to Las Vegas, Nevada; For Attorney's Fees and Costs; and Related Relief

Matter Heard;

01/20/2022

Return Hearing (10:15 AM) (Judicial Officer: Ochoa, Vincent)

Pick Up Order

Matter Heard;

01/20/2022



Motion (10:15 AM) (Judicial Officer: Ochoa, Vincent)

Emergency Motion For Stay Of Order For Return Of Children

Matter Heard;

02/24/2021



All Pending Motions (9:15 AM) (Judicial Officer: Ochoa, Vincent)





Matter Heard;

Journal Entry Details:

MOTION TO WITHDRAW AS ATTORNEY OF RECORD...INTERVENOR KIMBERLY WHITE'S MOTION TO ENFORCE VISITATION ORDER, MOTION FOR CONTEMPT, MOTION FOR PICK UP ORDER AND ATTORNEY'S FEES COSTS.. FMC Attorney Janice Jacovino appeared by audiovisual with Intervenor (Grandmother) Ms. Jacovino indicated she believed Plaintiff (mother) was out of state with the children. Counsel further indicated grandmother did not get her visitation over the Christmas holidays. Counsel argued that mother abducted the children and is in Michigan. Counsel requested contempt and the children to be brought back, and make-up time. Court explained its hard for the mother to be charged with abduction. Court noted Defendant (Dad) has not participated in the proceedings. Discussion. COURT ORDERED, as follows: Temporarily grandmother shall have telephone contact with the children on Tuesday and Thursday at 6:00 PM or 6:30 PM Michigan time. Temporarily if Mother is going to reside in Michigan, grandmother shall get 2-3 weeks in the summer, one week spring and one week in the winter. A pick-up order is ISSUED asking the law enforcement in Nevada and Michigan to assist. No arrest or warrants language shall be in the pick-up order. Once the children are back in Nevada, Counsel shall notify the Court within 72 hours of the children being picked up and a hearing will be scheduled. At that hearing, a trial will be set, and discussion of contempt. Ms. Jacovino shall explain that contempt will be for taking the children out of state without permission, denying grandmother visitation (weekend and holiday visitations) which she was fully aware off. Counsel shall be very specific in the order pertaining to contempt. Ms. Jacovino shall prepare Pick-Up Order and the Order after hearing.;

CASE SUMMARY

CASE NO. D-19-594413-C

02/24/2021	<p>Motion (9:15 AM) (Judicial Officer: Ochoa, Vincent)</p> <p><i>Intervenor Kimbrly White's Motion to Enforce Visitation Order, Motion for contempt, Motion for Pick Up Order and Attorney's Fees and Costs</i></p> <p>Matter Heard;</p>
02/24/2021	<p>Motion (9:15 AM) (Judicial Officer: Ochoa, Vincent)</p> <p><i>Motion to Withdraw as Attorney of Record</i></p> <p>No Ruling;</p>
02/24/2021	<p>Return Hearing (9:15 AM) (Judicial Officer: Ochoa, Vincent)</p> <p><i>FMC</i></p> <p>Matter Heard;</p>
02/03/2021	<p> Minute Order (1:45 PM) (Judicial Officer: Ochoa, Vincent)</p> <p>Minute Order - No Hearing Held;</p> <p>Journal Entry Details:</p> <p><i>MINUTE ORDER FROM CHAMBERS NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) this Court can consider a motion and issue a decision on the papers at any time without a hearing. Upon review, the Court determines to hear oral arguments on Intervenor, Kimberly White s Motion to Enforce Visitation Order, Motion for Contempt, Motion for Pick Up Order and Attorney s Fees and Costs. Accordingly, Intervenor s Motion shall be heard on February 24, 2021, at 9:15 AM in Department S. The Return Hearing from FMC currently set for Thursday, February 04, 2021 @ 11:00 AM shall be reset to February 24, 2021, at 9:15 AM. A copy of this Minute Order shall be provided to all parties. ;</i></p>
11/03/2020	<p> Return Hearing (11:00 AM) (Judicial Officer: Ochoa, Vincent)</p> <p><i>FMC</i></p> <p>Referred to Family Mediation;</p> <p>Journal Entry Details:</p> <p><i>Plaintiff (Mother)appeared telephonically through Blue Jeans. Attorney Lynn Conant appeared by audiovisual with Kimberly White(Grandmother). Because of Covid Parties appeared by alternate means. Court noted the Order from 9/14/20. Mother stated she never received a copy. Plaintiff provided her E-Mail address as tamikaj8092@gmail.com and address as 4730 E Craig Road apt 2088 Grandmother verified her address as 10461 Hartford Hills 89166. Counsel indicated they never received an Order for medication. Counsel further indicated they had a copy of settlement proposal for Mother. Mother had concerns about grandmother giving her child medication. Grandmother explained the child had bad allergies and she provided Zertex. Christmas addressed. COURT ORDERED, as follows: Ms. Conanat shall E-mail a copy of the 9/14/20 Order. Parties shall be referred to Family Mediation Center (FM) to formulate a visitation plan for Grandmother. Parties shall discuss the medication at FMC. Grandmother shall not give medication to the children unless she talks to Mother. Parties shall try to come to an agreement regarding Christmas visitation for grandmother, if no agreement, Counsel may call Chambers after Thanksgiving to set an emergency hearing before Christmas.;</i></p>
08/31/2020	<p> Hearing (2:30 PM) (Judicial Officer: Ochoa, Vincent)</p> <p><i>Make sure the blue Jeans link is sent to Tamika.</i></p> <p>Referred to Family Mediation;</p> <p>Journal Entry Details:</p> <p><i>Tamika Beatrice Jones (mother)appeared by audiovisual. Attorney Lynn Conant appeared by audiovisual with Kimberly White (Grandmother Intervener). Plaintiff stated she and the child's father lives in Las Vegas and they resided together. Discussion. Case trailed for Parties to talk. Case resumed all Parties present as previously. Ms. Conant proposed Ms. White have two weekend a month and a referral to mediation. Plaintiff requested an opportunity to talk to Defendant. Counsel addressed the school and there was a discussion. Plaintiff wanted her mother to be involved in the next hearing. Court advised if Plaintiff's mother want to participate she will have to file a motion and indicate how her rights are being affected. COURT ORDERED, as follows: Plaintiff and Defendant shall talk. All Parties shall be referred to Family Mediation Center (FMC) to formulate a visitation plan for grandmother. Temporarily, grandmother shall have visitation the 2nd weekend of the month from Friday at 5:00 PM until Sunday at 5:00 PM commencing September, plus every 5th weekend of the month from Friday 5:00 PM until Sunday at 5:00 PM. In the summer when there is no school, grandmother shall have the child for one period of SEVEN (7) days for vacation time. Grandmother shall select her vacation time by 4/1 every year of what week she will use her seven (7) days. Plaintiff and Defendant shall select the child's school. Ms. Conant shall prepare the Order. ;</i></p>
08/05/2020	<p> Motion to Intervene (10:00 AM) (Judicial Officer: Ochoa, Vincent)</p> <p>Granted;</p> <p>Journal Entry Details:</p> <p><i>Attorney Lynn Conant appeared by audiovisual with Intervener Kimberly White. Counsel requested Ms. White have an active role in the children's life. Counsel stated Ms. White was not certain where the children were and</i></p>

CASE SUMMARY**CASE NO. D-19-594413-C**

they may have fled the Jurisdiction to Michigan . Counsel indicated a PI was hired to search for the children. Counsel stated Defendant has had problems with substance abuse and criminal justice system. Ms. Conant recapped the history of the case with grandmother role with the children for the record. Kimberly White sworn and testified. Kimberly testified she was the care taker of the children and she was capable to care for the children. **COURT ORDERED**, as follows Kimberly White (paternal grandparent) is **GRANTED** grandparent visitation. Ms. White has Court's permission to locate the children. A **PICK-UP ORDER** is **ISSUED** to bring the children back to Nevada. The Pick-up Order shall include Counsel shall notified the Court within 72 hrs of picking up the children, so a hearing can be set. After the pick of the children, Custody shall be awarded to grandmother until there is a Court Hearing. During that time the Parents may have supervised visits while the children are living with grandmother. Ms. Conant shall start the process of collecting school records. Ms. Conant shall prepare two (2) orders.;

04/15/2020

**Return Hearing** (11:00 AM) (Judicial Officer: Ochoa, Vincent)

ATI results

Referred to Family Mediation;

Journal Entry Details:

Plaintiff appeared telephonically. Court call Christopher and he never responded. Plaintiff stated Parties have a different agreement. Court noted Defendant's ATI drug test which indicated Defendant had traces of cocaine and alcohol in his urine but not hair. Plaintiff verified her E-mail address and Defendant's E-mail address as on file. **COURT ORDERED**, as follows: Parties shall be referred to Family Mediation Center (FMC) to place their agreement in writing. Form will be E-Mailed to Parties.;

02/20/2020

CANCELED Motion (10:15 AM) (Judicial Officer: Ochoa, Vincent)

Vacated

Plaintiff's Emergency Motion for Permission to Relocate Immediately, for Temporary Sole Physical Custody, and Related Relief

02/14/2020

**Minute Order** (4:24 PM) (Judicial Officer: Ochoa, Vincent)**NO HEARING HELD**

Minute Order - No Hearing Held;

Journal Entry Details:

MINUTE ORDER FROM CHAMBERS 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), this Court can consider a motion and issue a decision on the papers at any time without a hearing. Further, pursuant to EDCR 5.206, a party filing a motion is required to serve the opposing party with a copy of all papers filed within 3 calendar days of submission for filing. The Court notes that Plaintiff filed an Emergency Motion for Permission to Relocate Immediately, for Temporary Sole Custody, and Related Relief on December 19, 2019. However, Plaintiff has not served Defendant with a copy of the above-mentioned motion. Plaintiff has not filed a Certificate of Service for the above mentioned motion. Accordingly, proper service was not effectuated and the hearing set for February 20, 2020 **SHALL BE VACATED**. Plaintiff may re-notice the Motion through the Clerk's Office to get a new hearing date after properly serving the Defendant with the Motion. A copy of this minute order shall be provided to all parties. ;

12/05/2019

**Return Hearing** (1:45 PM) (Judicial Officer: Ochoa, Vincent)

FMC

Referred for Drug Testing;

Journal Entry Details:

Jillian Tindall bar #7194 appeared in an unbundled capacity for Plaintiff. Court noted Parties have three (3) children and their on and off relationship. Ms. Tindall stated Parties were living together and Mr. Robbins denied Parties were living together. Chronological order of Parties discussed. Court noted the Parties missed mediation two times. Discussion regarding the timeshare. Ms. Tindall requested Defendant a drug test and anger management assessment. Ms. Tindall alleged Defendant slapped one of the children in the face. Defendant confirmed he was unemployed. Car keys provided to Plaintiff in **OPEN COURT**. Plaintiff relocation was addressed. **COURT ORDERED**, as follows: Plaintiff shall have exclusive possession of her apartment and Defendant shall stay from Plaintiff's apartment. Plaintiff shall have timeshare with the children on Thursday at 6:00 PM until Sunday at 6:00 PM. Plaintiff shall get the children to school on Friday on time. Defendant to pick-up and drop off Honk and he shall stay in the vehicle with his seatbelt on. Plaintiff shall bring the children to the vehicle. Parties shall not have any discussion when picking-up and dropping off the children. This week Plaintiff shall only have timeshare Saturday at 4:00 PM and Sunday. For Christmas, Plaintiff shall get the children on Christmas Eve at noon until Christmas day 4:00 PM; then Defendant shall get timeshare on Christmas at 4:00 PM until 12/27/19 at noon, then back to the regular schedule. Parties shall not do drugs, marijuana or alcohol 12 hours before Parties have the children and while they have the children no drugs, marijuana or alcohol. Parties shall utilize Talking Parents. Parties shall only contact each other by telephone for emergencies only. Child support shall be dealt with at child support court. Plaintiff shall pick-up the children today and return the children to Defendant by 6:00 PM. Plaintiff shall be responsible for health insurance. Anything not covered by health insurance as related to medical, dental and vision shall be divided 50/50. Plaintiff shall return Defendant's

CASE SUMMARY**CASE NO. D-19-594413-C**

X Box. Plaintiff shall get Defendant's permission or a Court order to relocate out of state. Defendant is referred to ATI for a full drug screen on hair and urine. Defendant must test today. Plaintiff shall pay for the drug test. Ms. Tindall shall prepare the Order and Mr. Robbins shall review then sign off. ;

09/19/2019

**All Pending Motions** (10:15 AM) (Judicial Officer: Ochoa, Vincent)

Matter Heard;

Journal Entry Details:

PLAINTIFF'S MOTION AND NOTICE OF MOTION FOR ORDERS FOR TEMPORARY CUSTODY, VISITATION, AND/OR CHILD SUPPORT...CASE MANAGEMENT CONFERENCE...OPPOSITION AND COUNTERMOTION Mr. Robbins stated Parties have a temporary agreement as follows: Parties will share Joint Legal and Joint Physical Custody of the children. Plaintiff timeshare will be Friday at 6:00 PM (Defendant will drop off) until Monday morning and Defendant will pick-up the children and take them to school. Counsel stated Defendant was unemployed and when Defendant was employed both sides had equal earnings. Parties agreed neither side will pay child support to the other. Counsel stated Parties cannot agree on the children schooling. Discussion on if Plaintiff is to stay away from the school. Plaintiff addressed Christmas. **COURT ORDERED**, as follows: Court accepts Parties temporary agreement. Parties shall be referred to Family Mediation Center (FMC) to formulate a Parenting Plan. Plaintiff shall provide Counsel a break down of the health insurance cost for the children only. If there is a cost for the children only, Parties shall split that cost. Anything out of pocket expenses for health, dental or vision care shall be split equally pursuant to the 30/30 rule. The children shall remain in the same school until there is an agreement or Court's Order. Plaintiff shall be at the children's school for public events only. School shall not be used as a time to visit the children. Plaintiff shall not remove the children from school for any reason unless there is an agreement. The children shall not go out of state pending further Orders from the Court. If either Party want to take a vacation out of state, the agreement shall be in writing. Also in writing should be the full itinerary. For Thanksgiving day, Defendant shall have the children until 3:00 PM; at 3:00 PM Plaintiff shall have the children for the rest of the weekend. For the child's birthday 11/20, Plaintiff shall have the child from 6:00 PM-8:30 PM. Mr. Robbins shall prepare the Order.;

09/19/2019

Opposition & Countermotion (10:15 AM) (Judicial Officer: Ochoa, Vincent)*Opposition and Countermotion*

Matter Heard;

09/19/2019

Case Management Conference (10:15 AM) (Judicial Officer: Ochoa, Vincent)

Matter Heard;

09/19/2019

Motion (10:15 AM) (Judicial Officer: Ochoa, Vincent)

Plaintiff's Motion and Notice of Motion for Orders for Temporary Custody, Visitation, and/or Child Support
Referred to Family Mediation;

SERVICE

08/12/2019

Summons

Judson, Christopher Charles

Unserved

DATE**FINANCIAL INFORMATION****Defendant** Judson, Christopher Charles

Total Charges

230.00

Total Payments and Credits

223.00

Balance Due as of 5/3/2023**7.00****Intervenor** White, Kimberly

Total Charges

5.00

Total Payments and Credits

0.00

Balance Due as of 5/3/2023**5.00****Plaintiff** Jones, Tamika Beatrice

Total Charges

336.00

Total Payments and Credits

77.00

Balance Due as of 5/3/2023**259.00**

1 **FFCL**

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

5
6 TAMIKA BEATRICE JONES,
7 PLAINTIFF,

8 v.

9 CHRISTOPHER CHARLES JUDSON,
10 DEFENDANT,

11 v.

12 KIMBERLY WHITE,
13 INTERVENOR.

Case No.: D-19-594413-C
DEPT. NO. S

14
15 **Findings of Fact, Conclusions of Law, and Order**

16
17 This matter came on for an evidentiary hearing regarding grandparent's visitation.
18 Plaintiff, Tamika Jones (hereinafter, "Plaintiff," "Mom," or "Tamika") appeared via BlueJeans
19 with her counsel of record, Mark McGannon, Esq. Intervener, Kimberly White (hereinafter,
20 "Intervenor," "Paternal Grandmother," or "Kimberly") appeared via BlueJeans self-
21 represented.
22

23 The Court held an evidentiary hearing on February 03, 2023, at 9:00 AM. The Court
24 heard arguments of counsel and testimony of the parties. No exhibits were introduced or
25 admitted at trial. The Court, having heard the testimony of parties and other papers and
26 pleadings on file herein, and for good cause appearing now finds and orders as follows:
27
28

1 **I. FINDINGS OF FACT**

- 2 1. This case involves three minor children: XYSHONE JUDSON, born November 20,
3 2011 (age 11); XAIA JUDSON, born August 13, 2015 (age 7); and XIONNE
4 JUDSON, born May 3, 2019 (age 3).
- 5 2. Neither party disputes the jurisdiction of this Court to enter visitation orders regarding
6 the children in this case. None of the parties or the children were in Nevada at the time
7 of the hearing. Parents and children live in Michigan. Paternal grandmother was in
8 California but lives in Nevada.
- 9 3. Kimberly testified and introduced no exhibits. Tamika testified and introduced no
10 exhibits.
- 11 4. This case was initiated on August 12, 2019, when Tamika filed a Complaint for
12 Custody. The children's father, Christopher Judson, filed an Answer on September 06,
13 2019.
- 14 a. At the hearing on September 19, 2019, the Court ordered per the parties'
15 stipulation that the parties would share joint legal custody and joint physical
16 custody of the minor children. Order filed Oct. 24, 2019.
- 17 b. At the hearing on December 05, 2019, as relevant here the Court ordered that
18 Tamika shall get Christopher's permission or a Court order to relocate out of
19 state. Order filed Feb. 05, 2020.
- 20 c. On December 19, 2019, Tamika filed a Motion for Permission to Relocate
21 Immediately, for Temporary Sole Physical Custody, and Related Relief.
22 However, the hearing and motion were vacated as Tamika failed to properly
23 serve Christopher with the motion.
24
25
26
27
28

- 1 d. At the return hearing on April 15, 2020, Tamika indicated that the parties had an
2 agreement regarding custody. However, Christopher was not present to confirm
3 the agreement. The Court referred the parties to mediation to place their
4 agreement in writing. However, mediation did not place because the parties
5 failed to appear.
6
- 7 e. On July 15, 2020, Kimberly filed a Motion to Intervene that included requests
8 for sole legal and primary physical custody of the children and third party
9 visitation. Neither party filed an opposition or was present for the hearing on the
10 motion set for August 05, 2020. Kimberly was sworn in and testified that she
11 believed that Tamika had fled to Michigan with the children and that she was
12 the children's care taker. The Court granted Kimberly's request to intervene,
13 granted Kimberly grandparent's visitation, and indicated that a pick up order
14 would be issued if necessary to bring the children back to Nevada. Order filed
15 Sep. 14, 2020.
16
- 17 f. Tamika and Kimberly were present for the hearing on August 31, 2020;
18 Christopher was not present. Tamika indicated that she and Christopher reside
19 together in Las Vegas. The parents and Kimberly were referred to mediation
20 regarding grandparent visitation and Kimberly was awarded temporary
21 grandparent visitation. Order filed Sep. 14, 2020.
22
- 23 g. On December 08, 2020, Kimberly filed a Motion to Enforce Visitation Order,
24 Motion for Contempt, Motion for Pick Up Order and Attorney's Fees and Costs.
25 Neither parent was present for the motion hearing on February 24, 2021. The
26 court ordered that temporarily, Kimberly would have telephone contact with the
27
28

1 children on Tuesdays and Thursdays and that if Tamika were to reside in
2 Michigan that Kimberly would receive visits for Spring Break, 2-3 weeks in the
3 summer, and one week in Winter Break. Further, a Pick Up Order would be
4 issued to effectuate visitation if necessary. Order filed Mar. 29, 2021. An Order
5 for Return of Children was filed on March 30, 2021.
6

7 h. On November 18, 2021, Tamika filed Motion to Stay for Return to Children. On
8 January 01, 2021, Kimberly filed an Opposition and Countermotion for an
9 Order to Show Cause. Tamika filed an Opposition to the Countermotion for an
10 Order to Show Cause on January 19, 2022. The hearing on the motion took
11 place on January 20, 2022. The Court reinforced that the Court was not
12 considering custody to Kimberly, only visitation. The hearing was continued to
13 the next day on January 21, 2022.
14

15 i. All parties appeared for the January 21, 2022 Hearing. Christopher was sworn
16 and testified and gave his permission for the children to relocate to Michigan
17 with Tamika. The Court ordered that temporarily, Kimberly would have
18 telephone contact with the children on Tuesday and Thursday at 6:00 PM or
19 6:30 PM Michigan time. Temporarily, Kimberly would have visitation with
20 children for 2-3 weeks in the summer, one week spring and one week in the
21 winter. The Court ordered for Xy'Shone and Xaia to return to Michigan and an
22 evidentiary hearing regarding visitation was set for July 22, 2022. Order filed
23 Jan. 25, 2022.
24

25 j. On June 16, 2022, the Court heard Tamika's request to continue the evidentiary
26 hearing. The hearing was continued to February 03, 2023. The Court again
27
28

clarified that a request for custody by Kimberly would not be considered in this case. She would be required to file a new case for custody. Order filed Sep. 14, 2022.

5. The Court clarified that the burden was on Kimberly as the party petitioning for grandparent's visitation because at the beginning of trial she indicated several times that the burden was on Tamika and that Tamika's counsel requested trial.
6. Tamika most recently alleged that Christopher is not the children's biological father. However, Christopher is listed as the father on the children's birth certificate. See Tamika's Complaint filed Aug. 12, 2019. Christopher is presumed to be the children's father and no evidence was presented to rebut the presumption.
7. Tamika is the children's biological mother. Christopher is the children's legal father. Kimberly is Christopher's mother and the children's paternal grandmother.
8. At trial, Tamika and the children resided in Michigan. At trial, Kimberly appeared from California and indicated that she had been released from the hospital there the day prior to trial but that she lives in Nevada. Kimberly seemed to believe that the trial was based upon Tamika's request; however, the trial was set based upon Kimberly's request for grandparent visitation.
9. When the children return from visits with Kimberly, there often follows investigations by CPS in Nevada and Michigan. However, none of the allegations of neglect and abuse against Tamika were substantiated. After January 2022, Kimberly contacted the Family Mediation Center and made allegations of abuse. Kimberly denied calling CPS regarding abuse by Tamika.

- 1 10. The level of conflict between the parties is high. Although Kimberly verbalized that she
2 did not have animosity towards Tamika, her court pleadings and actions clearly show
3 otherwise. Kimberly tried to use the judicial process to usurp control over the children
4 from both parents. The Court clarified on multiple occasions that custody would not be
5 considered in this case. Kimberly filed a writ concerning the Court's decision regarding
6 custody to the Nevada Court of Appeals; her writ was denied. Kimberly characterized
7 the conflict between the parties as one sided; however, it is clear the parties mutually
8 dislike each other. Kimberly frequently indicated that the parents "abducted" their own
9 children. Kimberly's characterization of Tamika's relationship and actions with her
10 own children have caused conflict in the parties' relationship.
11
12 11. Kimberly and Tamika met in 2011. At that time, Tamika began residing with
13 Christopher at Kimberly's house in Michigan. Tamika was pregnant with Xyshone at
14 that time.
15
16 12. Kimberly eventually moved to Las Vegas in 2013 and Tamika, Christopher, and
17 Xyshone also moved to Las Vegas. Tamika and Christopher eventually had Xaia in
18 2015 and Xionne in 2019.
19
20 13. The parents and children lived in Kimberly's home periodically until 2019. There were
21 periods where the parents would get their own housing; however, more often than not
22 lived with Kimberly. Even when the parents did not live in the home, the children spent
23 a significant of time at Kimberly's home because Kimberly's mother and father
24 watched the children while the parents worked.
25
26 14. Kimberly provided for Tamika, Christopher, and the children while the parties lived
27 together. Kimberly helped care for the children. She provided transportation, food and
28

1 housing for Christopher, Tamika, and the children. Additionally, Kimberly was an
2 active participant in the children's education; she provided transportation to school.
3 Kimberly's mother, whom also lived in the home, helped the children with their
4 schoolwork. Kimberly's father also lived in the home with the children.
5
6 15. When Xyshone first entered school, Kimberly paid for him to attend private school at
7 Challenger School. Kimberly and Tamika both enrolled the child for school there.
8
9 16. Kimberly's mother and father also have a close and bonded relationship with the
10 children.
11
12 17. When Tamika moved out of Kimberly's home in 2019, the children also moved out of
13 Kimberly's home; however, Kimberly still saw the children frequently. She assisted
14 Tamika with transporting the children to school and saw the children 4-5 times a week.
15
16 18. Kimberly and Christopher have a poor relationship and do not speak to each other.
17 Kimberly has not spoken to him for over a year.
18
19 19. Kimberly has not spoken to Tamika for over a year. However, the parties previously
20 had a good relationship. Tamika considered Kimberly to be her "second mother".
21
22 20. Tamika does not want Kimberly to have visitation with the children and does not
23 believe that it is in their best interest.
24
25 21. After Kimberly completed her direct testimony, Tamika's attorney made an oral
26 motion for directed verdict and alleged that Kimberly failed to provide evidence to
27 rebut the presumption that granting her a right to visitation and that her visitation was
28 not in the best interests of the child. The Court denied the motion. "[A] directed verdict
may be entered when the evidence is so overwhelming for one party that any other
verdict would be contrary to the law." *Grosjean v. Imperial Palace, Inc.*, 125 Nev. 349,

1 362, 212 P.3d 1068, 1077 (2009). During the pendency of the case, the Court granted
2 Kimberly temporary visitation pending trial. The Court indicated that the Court would
3 make a decision after a full discussion. Tamika's attorney again requested a directed
4 verdict after cross-examining Kimberly. The request was again denied.
5

6 22. Tamika and the children moved to Michigan in November 2020 where they currently
7 reside. Christopher was last known to have resided in Las Vegas, Nevada. The parties
8 had an understanding that Tamika would relocate to Michigan in November 2020 while
9 Christopher continued to reside in Nevada. This was corroborated by Christopher at the
10 hearing on January 21, 2022.

11 23. From the period of 2020 to March 2022, Xyshone and Xaia resided with Kimberly from
12 November 2021 (per the pick-up order issued by the Court) until January 2022 (when
13 the Court ordered that children be returned to Tamika in Michigan). Kimberly refused
14 to allow Tamika telephone or video contact with Xyshone and Xaia when they resided
15 with her. Kimberly got a TPO issued against Tamika in December 2021 that was
16 eventually dissolved (T-21-219814-T). The Hearing Master found "The court had
17 issued a temporary order on allegations of harassment. [Tamika] contends that her
18 efforts to contact [Kimberly] related to her bona fide interest in having contact with her
19 children, and therefore does not constitute harassment. The court agrees." Order filed
20 Jan. 10, 2022.
21
22

23 24. Kimberly did not see Xionne from 2020 to March 2022.

24 25. From March 2022 to November 2022, the parties followed the Court's temporary
25 visitation orders.
26
27
28

- 1 26. Kimberly has not seen any of the children since July 2022. She last had phone contact
2 with the children in November 2022. She did not reach out to Tamika regarding the
3 temporary visitation and telephone contact ordered by the Court. Kimberly allowed her
4 mother to have phone calls with the children beginning in November 2022.
5
- 6 27. There are no significant issues related to Kimberly's mental and physical health. She
7 indicated she had to have an emergency appendectomy but was otherwise healthy.
- 8 28. Kimberly is employed full-time as a Nurse Practitioner at Intermountain Healthcare.
9 She has a doctor degree in nursing.
- 10 29. Xaia fears coming to Las Vegas. She recently has been acting out behaviorally in
11 school. Tamika has nightmares that Kimberly will try to take her children. She believes
12 that children are also having nightmares because they are afraid the Kimberly will try to
13 take them from Tamika. Tamika currently takes Lexapro for anxiety and depression.
14 She did not experience anxiety and depression prior to the children coming to Las
15 Vegas with Kimberly on a pick up order.
- 16
- 17 30. Tamika does not believe that visitation between Kimberly and the children are in their
18 best interests. From November 2021 to January 2022, Kimberly did not allow Tamika
19 to speak to the children even though Tamika attempted to do so. Kimberly did not
20 allow Tamika to speak to the children for Christmas and other holidays during that
21 time. Further, Tamika does not like that Kimberly has transported the children by car
22 for transportation while the last court ordered required Kimberly to provide
23 transportation by plane and provide the itinerary to her.
24
- 25 31. The court is aware that the parents agree in denying visits to Kimberly.
26
27
28

1 **II. ANALYSIS & CONCLUSIONS OF LAW**

2 Visitation

3 **NRS 125C.050 Petition for right of visitation for certain relatives and**
4 **other persons.**

5 1. Except as otherwise provided in this section, if a parent of an unmarried
6 minor child:

7 (a) Is deceased;

8 (b) Is divorced or separated from the parent who has custody of the child;

9 (c) Has never been legally married to the other parent of the child, but
10 cohabitated with the other parent and is deceased or is separated from the other
11 parent; or

12 (d) Has relinquished his or her parental rights or his or her parental rights
13 have been terminated,

14 the district court in the county in which the child resides may grant to the great-
15 grandparents and grandparents of the child and to other children of either parent
16 of the child a reasonable right to visit the child during the child's minority.

17 2. If the child has resided with a person with whom the child has established
18 a meaningful relationship, the district court in the county in which the child
19 resides also may grant to that person a reasonable right to visit the child during
20 the child's minority, regardless of whether the person is related to the child.

21 3. A party may seek a reasonable right to visit the child during the child's
22 minority pursuant to subsection 1 or 2 only if a parent of the child has denied or
23 unreasonably restricted visits with the child.

24 4. If a parent of the child has denied or unreasonably restricted visits with
25 the child, there is a rebuttable presumption that the granting of a right to visitation
26 to a party seeking visitation is not in the best interests of the child. To rebut this
27 presumption, the party seeking visitation must prove by clear and convincing
28 evidence that it is in the best interests of the child to grant visitation.

 5. The court may grant a party seeking visitation pursuant to subsection 1
or 2 a reasonable right to visit the child during the child's minority only if the
court finds that the party seeking visitation has rebutted the presumption
established in subsection 4.

 6. In determining whether the party seeking visitation has rebutted the
presumption established in subsection 4, the court shall consider:

 (a) The love, affection and other emotional ties existing between the party
seeking visitation and the child.

 (b) The capacity and disposition of the party seeking visitation to:

 (1) Give the child love, affection and guidance and serve as a role model
to the child;

 (2) Cooperate in providing the child with food, clothing and other
material needs during visitation; and

 (3) Cooperate in providing the child with health care or alternative care
recognized and permitted under the laws of this State in lieu of health care.

1 (c) The prior relationship between the child and the party seeking visitation,
2 including, without limitation, whether the child resided with the party seeking
3 visitation and whether the child was included in holidays and family gatherings
with the party seeking visitation.

(d) The moral fitness of the party seeking visitation.

(e) The mental and physical health of the party seeking visitation.

(f) The reasonable preference of the child, if the child has a preference, and
5 if the child is determined to be of sufficient maturity to express a preference.

(g) The willingness and ability of the party seeking visitation to facilitate and
6 encourage a close and continuing relationship between the child and the parent or
7 parents of the child as well as with other relatives of the child.

(h) The medical and other needs of the child related to health as affected by
8 the visitation.

(i) The support provided by the party seeking visitation, including, without
9 limitation, whether the party has contributed to the financial support of the child.

(j) Any other factor arising solely from the facts and circumstances of the
10 particular dispute that specifically pertains to the need for granting a right to
11 visitation pursuant to subsection 1 or 2 against the wishes of a parent of the child.

12
13 NRS 125C.050 does not explicitly require an independent action, and thus, a motion
14 filed within the existing custody action is sufficient. However, a party seeking grandparent
15 visitation must have intervened or joined in custody actions between the parents in order to for
16 the court to have jurisdiction to award grandparent visitation. *Inlow v. Fifth Judicial Dist.*
17 *Court of State ex rel. Cnty. of Nye*, 132 Nev. 983 (2016).

18
19 [I]f a parent has denied visitation with the child, there is a rebuttable presumption
20 that granting visitation to the petitioners is not in the child's best interest. NRS
21 125C.050(4). And to rebut this presumption, the petitioners must demonstrate by
22 clear and convincing evidence that it is in the best interest of the child to grant
23 visitation. When determining whether the petitioners have rebutted the
presumption, the district court shall consider the factors enumerated in NRS
125C.050(6).

24 *Colt v. Plummer*, 82662-COA, 2022 WL 214003, at *2 (Nev. App. Jan. 24,
25 2022)

26 The Court permitted Kimberly to intervene in this action regarding visitation only.
27
28

1 During the evidentiary hearing, Tamika testified that the children visiting Kimberly was
2 not in their best interests.

3 Under NRS 125C.050 (1) – (2) this Court may grant Kimberly a reasonable right of
4 visitation with the children. Kimberly is presumed to be children’s paternal grandmother.
5 Further, the children and Kimberly have a meaningful relationship and have resided together in
6 the past.
7

8
9 ***The love, affection and other emotional ties existing between the party seeking***
10 ***visitation and the child; the capacity and disposition of the party seeking visitation to: give***
11 ***the child love, affection and guidance and serve as a role model to the child, cooperate in***
12 ***providing the child with food, clothing and other material needs during visitation, and***
13 ***cooperate in providing the child with health care or alternative care recognized and***
14 ***permitted under the laws of this State in lieu of health care; the prior relationship between***
15 ***the child and the party seeking visitation; and support provided by the party seeking***
16 ***visitation, including, without limitation, whether the party has contributed to the financial***
17 ***support of the child:.***

18 Tamika disputed that the children were presently bonded to Kimberly. However, the
19 evidence suggests that love, affection, and other emotional ties exist between Kimberly and the
20 children. Kimberly provided a home for the children and helped care for educational and
21 emotions needs when the parents lived in her home. Further, Kimberly is employed and able to
22 provide the children food, clothing, and other material needs during visitation. Kimberly
23 provided for Xyshone’s financial needs by paying for private school education when he first
24 began school. Kimberly helped the parents by providing housing, transportation and food. The
25 children’s care with Kimberly is not the issue in this case.

26 These factors favor visitation to Kimberly.

27 ***The moral fitness of the party seeking visitation; the mental and physical health of***
28 ***the party seeking visitation:***

1 There was no testimony at trial that Kimberly was morally unfit or had any mental
2 health or physical issues.

3
4 These factors favor visitation to Kimberly.

5
6 ***The reasonable preference of the child, if the child has a preference, and if the child
is determined to be of sufficient maturity to express a preference:***

7 The children did not testify. They are not of sufficient age and maturity to express a
8 preference.

9
10 This factor is not applicable.

11
12 ***The willingness and ability of the party seeking visitation to facilitate and encourage
a close and continuing relationship between the child and the parent or parents of the child
as well as with other relatives of the child:***

13
14 The primary issues in this care are tThe bad feelings are between the adults and
15 Kimberly over stepping her position as a grandmother and not the parent. Although Kimberly
16 indicated that that she does not have animosity towards Tamika; that she would do anything for
17 the parents, the evidence suggests that the parties mutually do not like each other. Kimberly
18 tried to usurp parental responsibility from Tamika which increased their conflict. Kimberly
19 refused to allow Tamika to speak to her Xyshone and Xaia while they were residing with her
20 from November 2021 to January 2022. This demonstrates that Kimberly does not have the
21 willingness to encourage the children's relationship with their mother.

22
23
24 This factor does not favor visitation to Kimberly.

25
26 ***The medical and other needs of the child related to health as affected by the
27 visitation:***

28

1 The children do not have any medical needs that would affect visitation.

2
3 This factor is neutral.

4 ***Any other factor arising solely from the facts and circumstances of the particular***
5 ***dispute that specifically pertains to the need for granting a right to visitation pursuant to***
6 ***subsection 1 or 2 against the wishes of a parent of the child.***

7 There is substantial conflict between Kimberly and the parents. Kimberly does not have
8 a good relationship with her son, Christopher, and had not spoken to him in over a year.
9 Kimberly does not have good relationship with Tamika due the ongoing litigation and related
10 issues.
11

12 This other factor does not favor visitation to Kimberly.

13 There is a rebuttal presumption that visitation is not in the children's best interests.
14 Kimberly has the burden to overcome that presumption by clear and convincing evidence.

15 Most of the factors favor visitation between Kimberly and the children and the Court
16 remains concern regarding the level of conflict between Kimberly and the parents. However,
17 there are many ways in which visitation between Kimberly and the children would facilitate
18 their best interest. There are significant emotional ties between Kimberly and the children.
19 Kimberly improperly tried to usurp parental responsibility from Tamika; however, she whole
20 heartedly but also imprudently did so because she believed she was protecting the children in
21 some way.
22

23 The children have resided in Michigan with Tamika since November 2020. The
24 children appear apprehensive about returning to Nevada for visitation. However, the evidence
25 does suggest that it would be in their best interests to maintain some relationship with
26 Kimberly. Christopher does not appear to be actively involved in the children's lives and the
27
28

1 children would benefit by being able to maintain a consistent relationship with a paternal
2 relative.

3 Kimberly is granted visitation with the children on Labor Day and Memorial Day
4 weekends of each year. All visitation is to occur in Michigan where the children reside.
5 Kimberly shall not travel 100 miles outside of Ferndale, Michigan for visitation and shall not
6 leave the state for visitation. Visitation begins Friday evening at 6:00 PM EST and ends
7 Sunday at 6:00 PM EST. The children shall call Tamika at 10:00 AM EST on Saturday and
8 Sunday during Kimberly's visitation. The parties may agree in writing if they wish for
9 Kimberly's parents to also participate in visitation.
10

11 The parties may also agree in writing to additional visitation between Kimberly and the
12 children. The Court encourages the parties to do so as conflict between Kimberly and Tamika
13 hopefully will decrease as litigation ends.
14

15 Kimberly is granted telephone/video contact with the children every Sunday at 6:00 PM
16 EST. Kimberly is also granted telephone/video communication with the children on their
17 birthdays, Christmas, New Year each year. The phone contact shall be at least ten (10) minutes
18 in length. The children may call Kimberly as they freely desire.

19 Attorney's Fees
20

21 The parties shall bare the costs of their own attorney's fees.
22

23 ...
24

25 ...
26

27 ...
28

1 **III. ORDERS**

2 Based on the foregoing Findings of Facts and Conclusions of Law, the Court enters the
3 following orders:

4 **IT IS HEREBY ORDERED** that Intervenor, Kimberly White, shall be granted
5 visitation with Xyshone Judson (born 11/20/2011), Xaia Judson (born 08/13/2015) and Xionne
6 Judson (born 05/03/2019) as follows:

7
8 Kimberly shall be granted visitation with the children on Labor Day and Memorial
9 Day weekends of each year. All visitation shall occur in Michigan where the children reside.
10 Kimberly shall not travel 100 miles outside of Ferndale, Michigan for visitation and shall not
11 leave the state for visitation. Visitation shall begin Friday evening at 6:00 PM EST and end
12 Sunday at 6:00 PM EST. The children shall call Tamika at 10:00 AM EST on Saturday and
13 Sunday during Kimberly's visitation. The parties may agree in writing on Talking Parents if
14 they wish for Kimberly's parents to also participate in visitation. The parties may also agree in
15 writing to additional visitation on Talking Parents. The children's exchanges shall take place at
16 the police station where the children were exchanged prior.
17
18

19 **IT IS FURTHER ORDERED** that Kimberly shall be granted
20 telephone/video/Skype/FaceTime contact with the children every Sunday at 6:00 PM EST.
21 Kimberly shall also be granted telephone/video/Skype/FaceTime communication with the
22 children on their birthdays, Christmas, and New Year's Day each year at 6:00 PM EST. The
23 contact shall be at least ten (10) minutes in length. Kimberly shall initiate the contact. The
24 children may call Kimberly as they freely desire.
25
26
27
28

1 **IT IS FURTHER ORDERED** that Kimberly and Tamika shall register for Talking
2 Parents and use the app to communicate regarding the children. Communication is limited to
3 once a week. The parties may only call or text each other regarding emergencies.
4

5 **IT IS FURTHER ORDERED** that the following behavior order provisions shall apply
6 to all parties and they are put on notice the violations of these provisions may result in fines
7 and/or jail time:
8

9 1. No abusive contact (foul language, name calling, etc.) including telephone calls,
10 voicemails, letters, email, texts, all forms of social media, etc., to the other party or to the
11 children.

12 2. Avoid any unnecessary contact with the other party's "significant other" and friends
13 not in common with you and do not initiate conflicts with them.
14

15 3. No unnecessary contact with other people associated with or to the other party for
16 purposes of discussing court proceedings or making negative/disparaging allegations against
17 the other party (this includes all forms of social media).
18

19 4. You will advise all of your friends, relatives and "significant other" not to disparage,
20 criticize or harass the other party, and that co-parenting requires facilitating a positive
21 relationship with the other party and that you may be sanctioned if the Court finds that you are
22 knowingly allowing them to violate the Behavior Order.
23

24 5. No harassment at the other party's place(s) of employment, including contacting the
25 employer to make negative or disparaging allegations; or to send or drop off evidence as it
26 relates to these court proceedings that appears reasonably designed to put them, or likely to put
27
28

1 them in a bad light or to get them fired, or to have them suffer negative consequences as a
2 result.

3
4 6. No providing copies of unsolicited documents (personal letters, court pleadings,
5 emails, texts, etc.) to anyone associated with a party (significant others, family members,
6 neighbors, employers, etc.) for the intended purpose of shedding the other party in a negative
7 light.

8
9 7. Neither party shall post, nor shall you allow significant others or family members on
10 social media to post, including, but not limited to, Facebook, Twitter, YouTube, Instagram,
11 TikTok, LinkedIn, Tumblr, and Google+, any negative or disparaging allegation against or
12 negative image of the other party or anyone associated with the other party.

13
14 8. Pursuant to EDCR 5.301, you will not discuss any of the court issues or proceedings
15 with the minor children; this includes showing them any part of the pleadings or
16 attachments/exhibits (including audio and video) thereto; you will take every precaution to
17 secure copies of pleadings safely away from the eyes of the children at all times.

18
19 9. Neither party shall interrogate the children as to the activities or events at the other
20 party's residence, etc., and shall try to respect and not interfere with the children's privacy and
21 relationship with the other party; do not place the children in a loyalty bind between yourself
22 and the other party.

23 **IT IS FURTHER ORDERED AND THE PARTIES ARE PUT ON NOTICE** that
24 they are subject to the requirements of NRS 125C.0045(6) and NRS 125C.0045(7.)
25

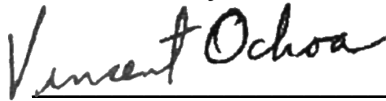
26 **PENALTY FOR VIOLATION OF ORDER:** THE ABDUCTION,
27 CONCEALMENT OR DETENTION OF A CHILD IN VIOLATION OF THIS
28 ORDER IS PUNISHABLE AS A CATEGORY D FELONY AS PROVIDED
IN NRS 193.190. NRS 200.359 provides that every person having a limited

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

right of custody to a child or any parent having no right of custody to the child who willfully detains, conceals or removes the child from a parent, guardian or other person having lawful custody or a right of visitation of the child in violation of an order of this court, or removes the child from jurisdiction of the court without the consent of either the court or all persons who have the right to custody or visitation is subject to being punished for a category D felony as provided in NRS 193.130.

IT IS SO ORDERED.

Dated this 29th day of March, 2023



FDA F06 011F 3080
Vincent Ochoa
District Court Judge

1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 Tamika Beatrice Jones, Plaintiff. CASE NO: D-19-594413-C
7 vs. DEPT. NO. Department S
8 Christopher Charles Judson,
9 Defendant.

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

16 Service Date: 3/29/2023

17 Kari Molnar	kari@molnarfamilylaw.com
18 Mark McGannon	mark@mcgannonlawoffice.com
19 Jean McGannon	jean@mcgannonlawoffice.com
20 Julio Vigoreaux	jvigoreauxlaw@gmail.com
21 Admin Staff	efile@mcgannonlawoffice.com
22 Tamika Jones	tamikaj8092@gmail.com
23 Kimberly White	kwhite_writer@hotmail.com

24
25 If indicated below, a copy of the above mentioned filings were also served by mail
26 via United States Postal Service, postage prepaid, to the parties listed below at their last
27 known addresses on 3/30/2023
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Christopher Judson	8447 Sequoia Grove AVE Las Vegas, NV, 89149
Jillian Tindall	3838 Raymert DR STE 20 Las Vegas, NV, 89121
Mark McGannon	McGannon Law Office, P.C. 7495 W. Azure Drive, Suite 110 Las Vegas, NV, 89130



NOE
MARK J. McGANNON, ESQ.
Nevada Bar No. 005419
McGANNON LAW OFFICE, P.C.
5550 Painted Mirage Rd., Suite 320
Las Vegas, NV 89149
Telephone: (702) 888-6606
Facsimile: (725) 502-2376
E-mail: mark@mcgannonlawoffice.com
Unbundled Attorney for Plaintiff

DISTRICT COURT – FAMILY DIVISION
CLARK COUNTY, NEVADA

TAMIKA BEATRICE JONES,)	CASE NO.: D-19-594413-C
PLAINTIFF,)	
)	DEPT NO.: S
v.)	
)	
CHRISTOPHER CHARLES JUDSON,)	
DEFENDANT,)	
)	<u>NOTICE OF ENTRY OF ORDER</u>
v.)	
)	
KIMBERLY WHITE,)	
INTERVENOR.)	

Please take notice that Findings of Fact, Conclusions of Law, and Order were duly entered in the above referenced case on the 29th day of March 2023, a copy of which is attached hereto and by reference fully incorporated herein.

Dated this 29th day of March 2023.

/s/ Mark J. McGannon
Mark J. McGannon, Esq.
Nevada Bar No.: 5419
McGANNON LAW OFFICE, P.C.
5550 Painted Mirage Rd., Suite 320
Las Vegas, NV 89149

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of the law office of McGANNON LAW OFFICE, P.C. that service of the foregoing NOTICE OF ENTRY OF ORDER was made on this 30th day of March, 2023, pursuant to the Nevada Electronic Filing and Conversion Rules (NEFCR), EDCR 5.206, and EDCR Part VIII, *et seq.*, by electronic service via the Court's E-Filing System, or if not on the service list by depositing the same in the United States Mail in Las Vegas, Nevada, postage paid addressed as follows:

ATTORNEY/PARTIES	EMAIL
KIMBERLY WHITE, INTERVENOR	Email: kwhite_writer@hotmail.com
Christopher Judson 1309 N 22 nd Street #3 Las Vegas, Nevada 89101 Defendant	

/s/ Mark J. McGannon

An employee or agent of McGANNON LAW
OFFICE, P.C.

1 **FFCL**

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

5
6 **TAMIKA BEATRICE JONES,**
7 **PLAINTIFF,**

8 **v.**

9 **CHRISTOPHER CHARLES JUDSON,**
10 **DEFENDANT,**

11 **v.**

12 **KIMBERLY WHITE,**
13 **INTERVENOR.**

Case No.: D-19-594413-C
DEPT. NO. S

14
15 **Findings of Fact, Conclusions of Law, and Order**

16
17 This matter came on for an evidentiary hearing regarding grandparent's visitation.
18 Plaintiff, Tamika Jones (hereinafter, "Plaintiff," "Mom," or "Tamika") appeared via BlueJeans
19 with her counsel of record, Mark McGannon, Esq. Intervener, Kimberly White (hereinafter,
20 "Intervenor," "Paternal Grandmother," or "Kimberly") appeared via BlueJeans self-
21 represented.
22

23 The Court held an evidentiary hearing on February 03, 2023, at 9:00 AM. The Court
24 heard arguments of counsel and testimony of the parties. No exhibits were introduced or
25 admitted at trial. The Court, having heard the testimony of parties and other papers and
26 pleadings on file herein, and for good cause appearing now finds and orders as follows:
27
28

1 **I. FINDINGS OF FACT**

- 2 1. This case involves three minor children: XYSHONE JUDSON, born November 20,
3 2011 (age 11); XAIA JUDSON, born August 13, 2015 (age 7); and XIONNE
4 JUDSON, born May 3, 2019 (age 3).
- 5 2. Neither party disputes the jurisdiction of this Court to enter visitation orders regarding
6 the children in this case. None of the parties or the children were in Nevada at the time
7 of the hearing. Parents and children live in Michigan. Paternal grandmother was in
8 California but lives in Nevada.
- 9 3. Kimberly testified and introduced no exhibits. Tamika testified and introduced no
10 exhibits.
- 11 4. This case was initiated on August 12, 2019, when Tamika filed a Complaint for
12 Custody. The children's father, Christopher Judson, filed an Answer on September 06,
13 2019.
- 14 a. At the hearing on September 19, 2019, the Court ordered per the parties'
15 stipulation that the parties would share joint legal custody and joint physical
16 custody of the minor children. Order filed Oct. 24, 2019.
- 17 b. At the hearing on December 05, 2019, as relevant here the Court ordered that
18 Tamika shall get Christopher's permission or a Court order to relocate out of
19 state. Order filed Feb. 05, 2020.
- 20 c. On December 19, 2019, Tamika filed a Motion for Permission to Relocate
21 Immediately, for Temporary Sole Physical Custody, and Related Relief.
22 However, the hearing and motion were vacated as Tamika failed to properly
23 serve Christopher with the motion.
24
25
26
27
28

- 1 d. At the return hearing on April 15, 2020, Tamika indicated that the parties had an
2 agreement regarding custody. However, Christopher was not present to confirm
3 the agreement. The Court referred the parties to mediation to place their
4 agreement in writing. However, mediation did not place because the parties
5 failed to appear.
6
- 7 e. On July 15, 2020, Kimberly filed a Motion to Intervene that included requests
8 for sole legal and primary physical custody of the children and third party
9 visitation. Neither party filed an opposition or was present for the hearing on the
10 motion set for August 05, 2020. Kimberly was sworn in and testified that she
11 believed that Tamika had fled to Michigan with the children and that she was
12 the children's care taker. The Court granted Kimberly's request to intervene,
13 granted Kimberly grandparent's visitation, and indicated that a pick up order
14 would be issued if necessary to bring the children back to Nevada. Order filed
15 Sep. 14, 2020.
16
- 17 f. Tamika and Kimberly were present for the hearing on August 31, 2020;
18 Christopher was not present. Tamika indicated that she and Christopher reside
19 together in Las Vegas. The parents and Kimberly were referred to mediation
20 regarding grandparent visitation and Kimberly was awarded temporary
21 grandparent visitation. Order filed Sep. 14, 2020.
22
- 23 g. On December 08, 2020, Kimberly filed a Motion to Enforce Visitation Order,
24 Motion for Contempt, Motion for Pick Up Order and Attorney's Fees and Costs.
25 Neither parent was present for the motion hearing on February 24, 2021. The
26 court ordered that temporarily, Kimberly would have telephone contact with the
27
28

1 children on Tuesdays and Thursdays and that if Tamika were to reside in
2 Michigan that Kimberly would receive visits for Spring Break, 2-3 weeks in the
3 summer, and one week in Winter Break. Further, a Pick Up Order would be
4 issued to effectuate visitation if necessary. Order filed Mar. 29, 2021. An Order
5 for Return of Children was filed on March 30, 2021.
6

7 h. On November 18, 2021, Tamika filed Motion to Stay for Return to Children. On
8 January 01, 2021, Kimberly filed an Opposition and Countermotion for an
9 Order to Show Cause. Tamika filed an Opposition to the Countermotion for an
10 Order to Show Cause on January 19, 2022. The hearing on the motion took
11 place on January 20, 2022. The Court reinforced that the Court was not
12 considering custody to Kimberly, only visitation. The hearing was continued to
13 the next day on January 21, 2022.
14

15 i. All parties appeared for the January 21, 2022 Hearing. Christopher was sworn
16 and testified and gave his permission for the children to relocate to Michigan
17 with Tamika. The Court ordered that temporarily, Kimberly would have
18 telephone contact with the children on Tuesday and Thursday at 6:00 PM or
19 6:30 PM Michigan time. Temporarily, Kimberly would have visitation with
20 children for 2-3 weeks in the summer, one week spring and one week in the
21 winter. The Court ordered for Xy'Shone and Xaia to return to Michigan and an
22 evidentiary hearing regarding visitation was set for July 22, 2022. Order filed
23 Jan. 25, 2022.
24

25 j. On June 16, 2022, the Court heard Tamika's request to continue the evidentiary
26 hearing. The hearing was continued to February 03, 2023. The Court again
27
28

clarified that a request for custody by Kimberly would not be considered in this case. She would be required to file a new case for custody. Order filed Sep. 14, 2022.

5. The Court clarified that the burden was on Kimberly as the party petitioning for grandparent's visitation because at the beginning of trial she indicated several times that the burden was on Tamika and that Tamika's counsel requested trial.
6. Tamika most recently alleged that Christopher is not the children's biological father. However, Christopher is listed as the father on the children's birth certificate. See Tamika's Complaint filed Aug. 12, 2019. Christopher is presumed to be the children's father and no evidence was presented to rebut the presumption.
7. Tamika is the children's biological mother. Christopher is the children's legal father. Kimberly is Christopher's mother and the children's paternal grandmother.
8. At trial, Tamika and the children resided in Michigan. At trial, Kimberly appeared from California and indicated that she had been released from the hospital there the day prior to trial but that she lives in Nevada. Kimberly seemed to believe that the trial was based upon Tamika's request; however, the trial was set based upon Kimberly's request for grandparent visitation.
9. When the children return from visits with Kimberly, there often follows investigations by CPS in Nevada and Michigan. However, none of the allegations of neglect and abuse against Tamika were substantiated. After January 2022, Kimberly contacted the Family Mediation Center and made allegations of abuse. Kimberly denied calling CPS regarding abuse by Tamika.

- 1 10. The level of conflict between the parties is high. Although Kimberly verbalized that she
2 did not have animosity towards Tamika, her court pleadings and actions clearly show
3 otherwise. Kimberly tried to use the judicial process to usurp control over the children
4 from both parents. The Court clarified on multiple occasions that custody would not be
5 considered in this case. Kimberly filed a writ concerning the Court's decision regarding
6 custody to the Nevada Court of Appeals; her writ was denied. Kimberly characterized
7 the conflict between the parties as one sided; however, it is clear the parties mutually
8 dislike each other. Kimberly frequently indicated that the parents "abducted" their own
9 children. Kimberly's characterization of Tamika's relationship and actions with her
10 own children have caused conflict in the parties' relationship.
11
12 11. Kimberly and Tamika met in 2011. At that time, Tamika began residing with
13 Christopher at Kimberly's house in Michigan. Tamika was pregnant with Xyshone at
14 that time.
15
16 12. Kimberly eventually moved to Las Vegas in 2013 and Tamika, Christopher, and
17 Xyshone also moved to Las Vegas. Tamika and Christopher eventually had Xaia in
18 2015 and Xionne in 2019.
19
20 13. The parents and children lived in Kimberly's home periodically until 2019. There were
21 periods where the parents would get their own housing; however, more often than not
22 lived with Kimberly. Even when the parents did not live in the home, the children spent
23 a significant of time at Kimberly's home because Kimberly's mother and father
24 watched the children while the parents worked.
25
26 14. Kimberly provided for Tamika, Christopher, and the children while the parties lived
27 together. Kimberly helped care for the children. She provided transportation, food and
28

1 housing for Christopher, Tamika, and the children. Additionally, Kimberly was an
2 active participant in the children's education; she provided transportation to school.
3 Kimberly's mother, whom also lived in the home, helped the children with their
4 schoolwork. Kimberly's father also lived in the home with the children.
5
6 15. When Xyshone first entered school, Kimberly paid for him to attend private school at
7 Challenger School. Kimberly and Tamika both enrolled the child for school there.
8
9 16. Kimberly's mother and father also have a close and bonded relationship with the
10 children.
11
12 17. When Tamika moved out of Kimberly's home in 2019, the children also moved out of
13 Kimberly's home; however, Kimberly still saw the children frequently. She assisted
14 Tamika with transporting the children to school and saw the children 4-5 times a week.
15
16 18. Kimberly and Christopher have a poor relationship and do not speak to each other.
17 Kimberly has not spoken to him for over a year.
18
19 19. Kimberly has not spoken to Tamika for over a year. However, the parties previously
20 had a good relationship. Tamika considered Kimberly to be her "second mother".
21
22 20. Tamika does not want Kimberly to have visitation with the children and does not
23 believe that it is in their best interest.
24
25 21. After Kimberly completed her direct testimony, Tamika's attorney made an oral
26 motion for directed verdict and alleged that Kimberly failed to provide evidence to
27 rebut the presumption that granting her a right to visitation and that her visitation was
28 not in the best interests of the child. The Court denied the motion. "[A] directed verdict
may be entered when the evidence is so overwhelming for one party that any other
verdict would be contrary to the law." *Grosjean v. Imperial Palace, Inc.*, 125 Nev. 349,

1 362, 212 P.3d 1068, 1077 (2009). During the pendency of the case, the Court granted
2 Kimberly temporary visitation pending trial. The Court indicated that the Court would
3 make a decision after a full discussion. Tamika's attorney again requested a directed
4 verdict after cross-examining Kimberly. The request was again denied.
5

6 22. Tamika and the children moved to Michigan in November 2020 where they currently
7 reside. Christopher was last known to have resided in Las Vegas, Nevada. The parties
8 had an understanding that Tamika would relocate to Michigan in November 2020 while
9 Christopher continued to reside in Nevada. This was corroborated by Christopher at the
10 hearing on January 21, 2022.

11 23. From the period of 2020 to March 2022, Xyshone and Xaia resided with Kimberly from
12 November 2021 (per the pick-up order issued by the Court) until January 2022 (when
13 the Court ordered that children be returned to Tamika in Michigan). Kimberly refused
14 to allow Tamika telephone or video contact with Xyshone and Xaia when they resided
15 with her. Kimberly got a TPO issued against Tamika in December 2021 that was
16 eventually dissolved (T-21-219814-T). The Hearing Master found "The court had
17 issued a temporary order on allegations of harassment. [Tamika] contends that her
18 efforts to contact [Kimberly] related to her bona fide interest in having contact with her
19 children, and therefore does not constitute harassment. The court agrees." Order filed
20 Jan. 10, 2022.
21
22

23 24. Kimberly did not see Xionne from 2020 to March 2022.

24 25. From March 2022 to November 2022, the parties followed the Court's temporary
25 visitation orders.
26
27
28

- 1 26. Kimberly has not seen any of the children since July 2022. She last had phone contact
2 with the children in November 2022. She did not reach out to Tamika regarding the
3 temporary visitation and telephone contact ordered by the Court. Kimberly allowed her
4 mother to have phone calls with the children beginning in November 2022.
5
- 6 27. There are no significant issues related to Kimberly's mental and physical health. She
7 indicated she had to have an emergency appendectomy but was otherwise healthy.
- 8 28. Kimberly is employed full-time as a Nurse Practitioner at Intermountain Healthcare.
9 She has a doctor degree in nursing.
- 10 29. Xaia fears coming to Las Vegas. She recently has been acting out behaviorally in
11 school. Tamika has nightmares that Kimberly will try to take her children. She believes
12 that children are also having nightmares because they are afraid the Kimberly will try to
13 take them from Tamika. Tamika currently takes Lexapro for anxiety and depression.
14 She did not experience anxiety and depression prior to the children coming to Las
15 Vegas with Kimberly on a pick up order.
- 16
- 17 30. Tamika does not believe that visitation between Kimberly and the children are in their
18 best interests. From November 2021 to January 2022, Kimberly did not allow Tamika
19 to speak to the children even though Tamika attempted to do so. Kimberly did not
20 allow Tamika to speak to the children for Christmas and other holidays during that
21 time. Further, Tamika does not like that Kimberly has transported the children by car
22 for transportation while the last court ordered required Kimberly to provide
23 transportation by plane and provide the itinerary to her.
24
- 25 31. The court is aware that the parents agree in denying visits to Kimberly.
26
27
28

1 **II. ANALYSIS & CONCLUSIONS OF LAW**

2 Visitation

3 **NRS 125C.050 Petition for right of visitation for certain relatives and**
4 **other persons.**

5 1. Except as otherwise provided in this section, if a parent of an unmarried
6 minor child:

7 (a) Is deceased;

8 (b) Is divorced or separated from the parent who has custody of the child;

9 (c) Has never been legally married to the other parent of the child, but
10 cohabitated with the other parent and is deceased or is separated from the other
11 parent; or

12 (d) Has relinquished his or her parental rights or his or her parental rights
13 have been terminated,

14 the district court in the county in which the child resides may grant to the great-
15 grandparents and grandparents of the child and to other children of either parent
16 of the child a reasonable right to visit the child during the child's minority.

17 2. If the child has resided with a person with whom the child has established
18 a meaningful relationship, the district court in the county in which the child
19 resides also may grant to that person a reasonable right to visit the child during
20 the child's minority, regardless of whether the person is related to the child.

21 3. A party may seek a reasonable right to visit the child during the child's
22 minority pursuant to subsection 1 or 2 only if a parent of the child has denied or
23 unreasonably restricted visits with the child.

24 4. If a parent of the child has denied or unreasonably restricted visits with
25 the child, there is a rebuttable presumption that the granting of a right to visitation
26 to a party seeking visitation is not in the best interests of the child. To rebut this
27 presumption, the party seeking visitation must prove by clear and convincing
28 evidence that it is in the best interests of the child to grant visitation.

 5. The court may grant a party seeking visitation pursuant to subsection 1
 or 2 a reasonable right to visit the child during the child's minority only if the
 court finds that the party seeking visitation has rebutted the presumption
 established in subsection 4.

 6. In determining whether the party seeking visitation has rebutted the
 presumption established in subsection 4, the court shall consider:

 (a) The love, affection and other emotional ties existing between the party
 seeking visitation and the child.

 (b) The capacity and disposition of the party seeking visitation to:

 (1) Give the child love, affection and guidance and serve as a role model
 to the child;

 (2) Cooperate in providing the child with food, clothing and other
 material needs during visitation; and

 (3) Cooperate in providing the child with health care or alternative care
 recognized and permitted under the laws of this State in lieu of health care.

1 (c) The prior relationship between the child and the party seeking visitation,
2 including, without limitation, whether the child resided with the party seeking
3 visitation and whether the child was included in holidays and family gatherings
with the party seeking visitation.

(d) The moral fitness of the party seeking visitation.

(e) The mental and physical health of the party seeking visitation.

(f) The reasonable preference of the child, if the child has a preference, and
5 if the child is determined to be of sufficient maturity to express a preference.

(g) The willingness and ability of the party seeking visitation to facilitate and
6 encourage a close and continuing relationship between the child and the parent or
7 parents of the child as well as with other relatives of the child.

(h) The medical and other needs of the child related to health as affected by
8 the visitation.

(i) The support provided by the party seeking visitation, including, without
9 limitation, whether the party has contributed to the financial support of the child.

(j) Any other factor arising solely from the facts and circumstances of the
10 particular dispute that specifically pertains to the need for granting a right to
11 visitation pursuant to subsection 1 or 2 against the wishes of a parent of the child.

12
13 NRS 125C.050 does not explicitly require an independent action, and thus, a motion
14 filed within the existing custody action is sufficient. However, a party seeking grandparent
15 visitation must have intervened or joined in custody actions between the parents in order to for
16 the court to have jurisdiction to award grandparent visitation. *Inlow v. Fifth Judicial Dist.*
17 *Court of State ex rel. Cnty. of Nye*, 132 Nev. 983 (2016).

18
19 [I]f a parent has denied visitation with the child, there is a rebuttable presumption
20 that granting visitation to the petitioners is not in the child's best interest. NRS
21 125C.050(4). And to rebut this presumption, the petitioners must demonstrate by
22 clear and convincing evidence that it is in the best interest of the child to grant
23 visitation. When determining whether the petitioners have rebutted the
presumption, the district court shall consider the factors enumerated in NRS
125C.050(6).

24 *Colt v. Plummer*, 82662-COA, 2022 WL 214003, at *2 (Nev. App. Jan. 24,
25 2022)

26 The Court permitted Kimberly to intervene in this action regarding visitation only.
27
28

1 During the evidentiary hearing, Tamika testified that the children visiting Kimberly was
2 not in their best interests.

3 Under NRS 125C.050 (1) – (2) this Court may grant Kimberly a reasonable right of
4 visitation with the children. Kimberly is presumed to be children’s paternal grandmother.
5 Further, the children and Kimberly have a meaningful relationship and have resided together in
6 the past.
7

8
9 ***The love, affection and other emotional ties existing between the party seeking***
10 ***visitation and the child; the capacity and disposition of the party seeking visitation to: give***
11 ***the child love, affection and guidance and serve as a role model to the child, cooperate in***
12 ***providing the child with food, clothing and other material needs during visitation, and***
13 ***cooperate in providing the child with health care or alternative care recognized and***
14 ***permitted under the laws of this State in lieu of health care; the prior relationship between***
15 ***the child and the party seeking visitation; and support provided by the party seeking***
16 ***visitation, including, without limitation, whether the party has contributed to the financial***
17 ***support of the child:.***

18 Tamika disputed that the children were presently bonded to Kimberly. However, the
19 evidence suggests that love, affection, and other emotional ties exist between Kimberly and the
20 children. Kimberly provided a home for the children and helped care for educational and
21 emotions needs when the parents lived in her home. Further, Kimberly is employed and able to
22 provide the children food, clothing, and other material needs during visitation. Kimberly
23 provided for Xyshone’s financial needs by paying for private school education when he first
24 began school. Kimberly helped the parents by providing housing, transportation and food. The
25 children’s care with Kimberly is not the issue in this case.

26 These factors favor visitation to Kimberly.

27 ***The moral fitness of the party seeking visitation; the mental and physical health of***
28 ***the party seeking visitation:***

1 There was no testimony at trial that Kimberly was morally unfit or had any mental
2 health or physical issues.

3
4 These factors favor visitation to Kimberly.

5
6 ***The reasonable preference of the child, if the child has a preference, and if the child
is determined to be of sufficient maturity to express a preference:***

7 The children did not testify. They are not of sufficient age and maturity to express a
8 preference.

9
10 This factor is not applicable.

11
12 ***The willingness and ability of the party seeking visitation to facilitate and encourage
a close and continuing relationship between the child and the parent or parents of the child
as well as with other relatives of the child:***

13
14 The primary issues in this care are tThe bad feelings are between the adults and
15 Kimberly over stepping her position as a grandmother and not the parent. Although Kimberly
16 indicated that that she does not have animosity towards Tamika; that she would do anything for
17 the parents, the evidence suggests that the parties mutually do not like each other. Kimberly
18 tried to usurp parental responsibility from Tamika which increased their conflict. Kimberly
19 refused to allow Tamika to speak to her Xyshone and Xaia while they were residing with her
20 from November 2021 to January 2022. This demonstrates that Kimberly does not have the
21 willingness to encourage the children's relationship with their mother.

22
23
24 This factor does not favor visitation to Kimberly.

25
26 ***The medical and other needs of the child related to health as affected by the
27 visitation:***

1 The children do not have any medical needs that would affect visitation.

2
3 This factor is neutral.

4 ***Any other factor arising solely from the facts and circumstances of the particular***
5 ***dispute that specifically pertains to the need for granting a right to visitation pursuant to***
6 ***subsection 1 or 2 against the wishes of a parent of the child.***

7 There is substantial conflict between Kimberly and the parents. Kimberly does not have
8 a good relationship with her son, Christopher, and had not spoken to him in over a year.
9 Kimberly does not have good relationship with Tamika due the ongoing litigation and related
10 issues.
11

12 This other factor does not favor visitation to Kimberly.

13 There is a rebuttal presumption that visitation is not in the children's best interests.
14 Kimberly has the burden to overcome that presumption by clear and convincing evidence.

15 Most of the factors favor visitation between Kimberly and the children and the Court
16 remains concern regarding the level of conflict between Kimberly and the parents. However,
17 there are many ways in which visitation between Kimberly and the children would facilitate
18 their best interest. There are significant emotional ties between Kimberly and the children.
19 Kimberly improperly tried to usurp parental responsibility from Tamika; however, she whole
20 heartedly but also imprudently did so because she believed she was protecting the children in
21 some way.
22

23 The children have resided in Michigan with Tamika since November 2020. The
24 children appear apprehensive about returning to Nevada for visitation. However, the evidence
25 does suggest that it would be in their best interests to maintain some relationship with
26 Kimberly. Christopher does not appear to be actively involved in the children's lives and the
27
28

1 children would benefit by being able to maintain a consistent relationship with a paternal
2 relative.

3 Kimberly is granted visitation with the children on Labor Day and Memorial Day
4 weekends of each year. All visitation is to occur in Michigan where the children reside.
5 Kimberly shall not travel 100 miles outside of Ferndale, Michigan for visitation and shall not
6 leave the state for visitation. Visitation begins Friday evening at 6:00 PM EST and ends
7 Sunday at 6:00 PM EST. The children shall call Tamika at 10:00 AM EST on Saturday and
8 Sunday during Kimberly's visitation. The parties may agree in writing if they wish for
9 Kimberly's parents to also participate in visitation.
10

11 The parties may also agree in writing to additional visitation between Kimberly and the
12 children. The Court encourages the parties to do so as conflict between Kimberly and Tamika
13 hopefully will decrease as litigation ends.
14

15 Kimberly is granted telephone/video contact with the children every Sunday at 6:00 PM
16 EST. Kimberly is also granted telephone/video communication with the children on their
17 birthdays, Christmas, New Year each year. The phone contact shall be at least ten (10) minutes
18 in length. The children may call Kimberly as they freely desire.

19 Attorney's Fees
20

21 The parties shall bare the costs of their own attorney's fees.
22

23 ...
24

25 ...
26

27 ...
28

1 **III. ORDERS**

2 Based on the foregoing Findings of Facts and Conclusions of Law, the Court enters the
3 following orders:

4 **IT IS HEREBY ORDERED** that Intervenor, Kimberly White, shall be granted
5 visitation with Xyshone Judson (born 11/20/2011), Xaia Judson (born 08/13/2015) and Xionne
6 Judson (born 05/03/2019) as follows:

7
8 Kimberly shall be granted visitation with the children on Labor Day and Memorial
9 Day weekends of each year. All visitation shall occur in Michigan where the children reside.
10 Kimberly shall not travel 100 miles outside of Ferndale, Michigan for visitation and shall not
11 leave the state for visitation. Visitation shall begin Friday evening at 6:00 PM EST and end
12 Sunday at 6:00 PM EST. The children shall call Tamika at 10:00 AM EST on Saturday and
13 Sunday during Kimberly's visitation. The parties may agree in writing on Talking Parents if
14 they wish for Kimberly's parents to also participate in visitation. The parties may also agree in
15 writing to additional visitation on Talking Parents. The children's exchanges shall take place at
16 the police station where the children were exchanged prior.
17
18

19 **IT IS FURTHER ORDERED** that Kimberly shall be granted
20 telephone/video/Skype/FaceTime contact with the children every Sunday at 6:00 PM EST.
21 Kimberly shall also be granted telephone/video/Skype/FaceTime communication with the
22 children on their birthdays, Christmas, and New Year's Day each year at 6:00 PM EST. The
23 contact shall be at least ten (10) minutes in length. Kimberly shall initiate the contact. The
24 children may call Kimberly as they freely desire.
25
26
27
28

1 **IT IS FURTHER ORDERED** that Kimberly and Tamika shall register for Talking
2 Parents and use the app to communicate regarding the children. Communication is limited to
3 once a week. The parties may only call or text each other regarding emergencies.
4

5 **IT IS FURTHER ORDERED** that the following behavior order provisions shall apply
6 to all parties and they are put on notice the violations of these provisions may result in fines
7 and/or jail time:
8

9 1. No abusive contact (foul language, name calling, etc.) including telephone calls,
10 voicemails, letters, email, texts, all forms of social media, etc., to the other party or to the
11 children.

12 2. Avoid any unnecessary contact with the other party's "significant other" and friends
13 not in common with you and do not initiate conflicts with them.
14

15 3. No unnecessary contact with other people associated with or to the other party for
16 purposes of discussing court proceedings or making negative/disparaging allegations against
17 the other party (this includes all forms of social media).
18

19 4. You will advise all of your friends, relatives and "significant other" not to disparage,
20 criticize or harass the other party, and that co-parenting requires facilitating a positive
21 relationship with the other party and that you may be sanctioned if the Court finds that you are
22 knowingly allowing them to violate the Behavior Order.
23

24 5. No harassment at the other party's place(s) of employment, including contacting the
25 employer to make negative or disparaging allegations; or to send or drop off evidence as it
26 relates to these court proceedings that appears reasonably designed to put them, or likely to put
27
28

1 them in a bad light or to get them fired, or to have them suffer negative consequences as a
2 result.

3
4 6. No providing copies of unsolicited documents (personal letters, court pleadings,
5 emails, texts, etc.) to anyone associated with a party (significant others, family members,
6 neighbors, employers, etc.) for the intended purpose of shedding the other party in a negative
7 light.

8
9 7. Neither party shall post, nor shall you allow significant others or family members on
10 social media to post, including, but not limited to, Facebook, Twitter, YouTube, Instagram,
11 TikTok, LinkedIn, Tumblr, and Google+, any negative or disparaging allegation against or
12 negative image of the other party or anyone associated with the other party.

13
14 8. Pursuant to EDCR 5.301, you will not discuss any of the court issues or proceedings
15 with the minor children; this includes showing them any part of the pleadings or
16 attachments/exhibits (including audio and video) thereto; you will take every precaution to
17 secure copies of pleadings safely away from the eyes of the children at all times.

18
19 9. Neither party shall interrogate the children as to the activities or events at the other
20 party's residence, etc., and shall try to respect and not interfere with the children's privacy and
21 relationship with the other party; do not place the children in a loyalty bind between yourself
22 and the other party.

23 **IT IS FURTHER ORDERED AND THE PARTIES ARE PUT ON NOTICE** that
24 they are subject to the requirements of NRS 125C.0045(6) and NRS 125C.0045(7.)
25

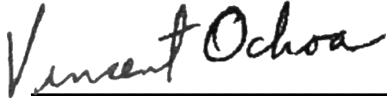
26 **PENALTY FOR VIOLATION OF ORDER:** THE ABDUCTION,
27 CONCEALMENT OR DETENTION OF A CHILD IN VIOLATION OF THIS
28 ORDER IS PUNISHABLE AS A CATEGORY D FELONY AS PROVIDED
IN NRS 193.190. NRS 200.359 provides that every person having a limited

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

right of custody to a child or any parent having no right of custody to the child who willfully detains, conceals or removes the child from a parent, guardian or other person having lawful custody or a right of visitation of the child in violation of an order of this court, or removes the child from jurisdiction of the court without the consent of either the court or all persons who have the right to custody or visitation is subject to being punished for a category D felony as provided in NRS 193.130.

IT IS SO ORDERED.

Dated this 29th day of March, 2023



FDA F06 011F 3080
Vincent Ochoa
District Court Judge

1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 Tamika Beatrice Jones, Plaintiff. CASE NO: D-19-594413-C
7 vs. DEPT. NO. Department S
8 Christopher Charles Judson,
9 Defendant.

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

16 Service Date: 3/29/2023

17 Kari Molnar	kari@molnarfamilylaw.com
18 Mark McGannon	mark@mcgannonlawoffice.com
19 Jean McGannon	jean@mcgannonlawoffice.com
20 Julio Vigoreaux	jvigoreauxlaw@gmail.com
21 Admin Staff	efile@mcgannonlawoffice.com
22 Tamika Jones	tamikaj8092@gmail.com
23 Kimberly White	kwhite_writer@hotmail.com

24
25 If indicated below, a copy of the above mentioned filings were also served by mail
26 via United States Postal Service, postage prepaid, to the parties listed below at their last
27 known addresses on 3/30/2023
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Christopher Judson	8447 Sequoia Grove AVE Las Vegas, NV, 89149
Jillian Tindall	3838 Raymert DR STE 20 Las Vegas, NV, 89121
Mark McGannon	McGannon Law Office, P.C. 7495 W. Azure Drive, Suite 110 Las Vegas, NV, 89130

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint

COURT MINUTES

September 19, 2019

D-19-594413-C Tamika Beatrice Jones, Plaintiff.
vs.
Christopher Charles Judson, Defendant.

September 19, 2019 10:15 AM All Pending Motions

HEARD BY: Ochoa, Vincent

COURTROOM: Courtroom 07

COURT CLERK: Yvette Clayton

PARTIES:

Christopher Judson, Defendant, present	Pro Se
Jillian Tindall, Unbundled Attorney, not present	
Kenneth Robbins, Unbundled Attorney, present	
Kimberly White, Intervenor, not present	Janice Jacovino, Attorney, not present
Kimberly White, Intervenor, not present	Julio Vigoreaux, Jr., Attorney, not present
Mark McGannon, Unbundled Attorney, not present	
Tamika Jones, Plaintiff, present	Pro Se
Xaia Judson, Subject Minor, not present	
Xionne Judson, Subject Minor, not present	
Xy'Shone Judson, Subject Minor, not present	

JOURNAL ENTRIES

- PLAINTIFF'S MOTION AND NOTICE OF MOTION FOR ORDERS FOR TEMPORARY CUSTODY, VISITATION, AND/OR CHILD SUPPORT...CASE MANAGEMENT CONFERENCE...OPPOSITION AND COUNTERMOTION

Mr. Robbins stated Parties have a temporary agreement as follows:

Parties will share Joint Legal and Joint Physical Custody of the children. Plaintiff timeshare will be

PRINT DATE:	05/03/2023	Page 1 of 33	Minutes Date:	September 19, 2019
-------------	------------	--------------	---------------	--------------------

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

Friday at 6:00 PM (Defendant will drop off) until Monday morning and Defendant will pick-up the children and take them to school.

Counsel stated Defendant was unemployed and when Defendant was employed both sides had equal earnings. Parties agreed neither side will pay child support to the other.

Counsel stated Parties cannot agree on the children schooling. Discussion on if Plaintiff is to stay away from the school.

Plaintiff addressed Christmas.

COURT ORDERED, as follows:

Court accepts Parties temporary agreement.

Parties shall be referred to Family Mediation Center (FMC) to formulate a Parenting Plan.

Plaintiff shall provide Counsel a break down of the health insurance cost for the children only. If there is a cost for the children only, Parties shall split that cost. Anything out of pocket expenses for health, dental or vision care shall be split equally pursuant to the 30/30 rule.

The children shall remain in the same school until there is an agreement or Court's Order.

Plaintiff shall be at the children's school for public events only. School shall not be used as a time to visit the children. Plaintiff shall not remove the children from school for any reason unless there is an agreement.

The children shall not go out of state pending further Orders from the Court. If either Party want to take a vacation out of state, the agreement shall be in writing. Also in writing should be the full itinerary.

For Thanksgiving day, Defendant shall have the children until 3:00 PM; at 3:00 PM Plaintiff shall have the children for the rest of the weekend.

For the child's birthday 11/20, Plaintiff shall have the child from 6:00 PM-8:30 PM.

Mr. Robbins shall prepare the Order.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	05/03/2023	Page 2 of 33	Minutes Date:	September 19, 2019
-------------	------------	--------------	---------------	--------------------

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

PRINT DATE:	05/03/2023	Page 3 of 33	Minutes Date:	September 19, 2019
-------------	------------	--------------	---------------	--------------------

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint

COURT MINUTES

December 05, 2019

D-19-594413-C Tamika Beatrice Jones, Plaintiff.
vs.
Christopher Charles Judson, Defendant.

December 05, 2019 1:45 PM Return Hearing

HEARD BY: Ochoa, Vincent

COURTROOM: Courtroom 07

COURT CLERK: Yvette Clayton

PARTIES:

Christopher Judson, Defendant, present Pro Se
Jillian Tindall, Unbundled Attorney, not
present

Kenneth Robbins, Unbundled Attorney,
present

Kimberly White, Intervenor, not present

Kimberly White, Intervenor, not present Julio Vigoreaux, Jr., Attorney, not present

Mark McGannon, Unbundled Attorney, not present

Tamika Jones, Plaintiff, present Pro Se

Xaia Judson, Subject Minor, not present

Xionne Judson, Subject Minor, not present

Xy'Shone Judson, Subject Minor, not present

JOURNAL ENTRIES

- Jillian Tindall bar #7194 appeared in an unbundled capacity for Plaintiff.

Court noted Parties have three (3) children and their on and off relationship. Ms. Tindall stated Parties were living together and Mr. Robbins denied Parties were living together. Chronological order of Parties discussed.

Court noted the Parties missed mediation two times.

PRINT DATE:	05/03/2023	Page 4 of 33	Minutes Date:	September 19, 2019
-------------	------------	--------------	---------------	--------------------

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

Discussion regarding the timeshare. Ms. Tindall requested Defendant a drug test and anger management assessment. Ms. Tindall alleged Defendant slopped one of the children in the face. Defendant confirmed he was unemployed.

Car keys provided to Plaintiff in OPEN COURT.

Plaintiff relocation was addressed.

COURT ORDERED, as follows:

Plaintiff shall have exclusive possession of her apartment and Defendant shall stay from Plaintiff's apartment.

Plaintiff shall have timeshare with the children on Thursday at 6:00 PM until Sunday at 6:00 PM. Plaintiff shall get the children to school on Friday on time. Defendant to pick-up and drop off Honk and he shall stay in the vehicle with his seatbelt on. Plaintiff shall bring the children to the vehicle. Parties shall not have any discussion when picking-up and dropping off the children. This week Plaintiff shall only have timeshare Saturday at 4:00 PM and Sunday.

For Christmas, Plaintiff shall get the children on Christmas Eve at noon until Christmas day 4:00 PM; then Defendant shall get timeshare on Christmas at 4:00 PM until 12/27/19 at noon, then back to the regular schedule.

Parties shall not do drugs, marijuana or alcohol 12 hours before Parties have the children and while they have the children no drugs, marijuana or alcohol.

Parties shall utilize Talking Parents. Parties shall only contact each other by telephone for emergencies only.

Child support shall be dealt with at child support court.

Plaintiff shall pick-up the children today and return the children to Defendant by 6:00 PM.

Plaintiff shall be responsible for health insurance. Anything not covered by health insurance as related to medical, dental and vision shall be divided 50/50.

Plaintiff shall return Defendant's X Box.

Plaintiff shall get Defendant's permission or a Court order to relocate out of state.

Defendant is referred to ATI for a full drug screen on hair and urine. Defendant must test today. Plaintiff shall pay for the drug test.

PRINT DATE:	05/03/2023	Page 5 of 33	Minutes Date:	September 19, 2019
-------------	------------	--------------	---------------	--------------------

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

Ms. Tindall shall prepare the Order and Mr. Robbins shall review then sign off.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	05/03/2023	Page 6 of 33	Minutes Date:	September 19, 2019
-------------	------------	--------------	---------------	--------------------

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

Temporary Sole Custody, and Related Relief on December 19, 2019. However, Plaintiff has not served Defendant with a copy of the above-mentioned motion. Plaintiff has not filed a Certificate of Service for the above mentioned motion.

Accordingly, proper service was not effectuated and the hearing set for February 20, 2020 SHALL BE VACATED. Plaintiff may re-notice the Motion through the Clerk's Office to get a new hearing date after properly serving the Defendant with the Motion.

A copy of this minute order shall be provided to all parties.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	05/03/2023	Page 8 of 33	Minutes Date:	September 19, 2019
-------------	------------	--------------	---------------	--------------------

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

Parties shall be referred to Family Mediation Center (FMC) to place their agreement in writing. Form will be E-Mailed to Parties.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	05/03/2023	Page 10 of 33	Minutes Date:	September 19, 2019
-------------	------------	---------------	---------------	--------------------

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint

COURT MINUTES

August 05, 2020

D-19-594413-C Tamika Beatrice Jones, Plaintiff.
vs.
Christopher Charles Judson, Defendant.

August 05, 2020 10:00 AM Motion to Intervene

HEARD BY: Ochoa, Vincent

COURTROOM: Courtroom 07

COURT CLERK: Yvette Clayton

PARTIES:

Christopher Judson, Defendant, not present	Pro Se
Jillian Tindall, Unbundled Attorney, not present	
Kimberly White, Intervenor, not present	Janice Jacovino, Attorney, not present
Kimberly White, Intervenor, not present	Julio Vigoreaux, Jr., Attorney, not present
Mark McGannon, Unbundled Attorney, not present	
Tamika Jones, Plaintiff, not present	Pro Se
Xaia Judson, Subject Minor, not present	
Xionne Judson, Subject Minor, not present	
Xy'Shone Judson, Subject Minor, not present	

JOURNAL ENTRIES

- Attorney Lynn Conant appeared by audiovisual with Intervener Kimberly White.

Counsel requested Ms. White have an active role in the children's life. Counsel stated Ms. White was not certain where the children were and they may have fled the Jurisdiction to Michigan . Counsel indicated a PI was hired to search for the children.

Counsel stated Defendant has had problems with substance abuse and criminal justice system.

Ms. Conant recapped the history of the case with grandmother role with the children for the record.

PRINT DATE:	05/03/2023	Page 11 of 33	Minutes Date:	September 19, 2019
-------------	------------	---------------	---------------	--------------------

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

Kimberly White sworn and testified. Kimberly testified she was the care taker of the children and she was capable to care for the children.

COURT ORDERED, as follows

Kimberly White (paternal grandparent) is GRANTED grandparent visitation.

Ms. White has Court's permission to locate the children.

A PICK-UP ORDER is ISSUED to bring the children back to Nevada.

The Pick-up Order shall include Counsel shall notified the Court within 72 hrs of picking up the children, so a hearing can be set.

After the pick of the children, Custody shall be awarded to grandmother until there is a Court Hearing. During that time the Parents may have supervised visits while the children are living with grandmother.

Ms. Conant shall start the process of colleting school records.

Ms. Conant shall prepare two (2) orders.

INTERIM CONDITIONS:

FUTURE HEARINGS:

requested an opportunity to talk to Defendant.

Counsel addressed the school and there was a discussion. Plaintiff wanted her mother to be involved in the next hearing. Court advised if Plaintiff's mother want to participate she will have to file a motion and indicate how her rights are being affected.

COURT ORDERED, as follows:

Plaintiff and Defendant shall talk.

All Parties shall be referred to Family Mediation Center (FMC) to formulate a visitation plan for grandmother.

Temporarily, grandmother shall have visitation the 2nd weekend of the month from Friday at 5:00 PM until Sunday at 5:00 PM commencing September, plus every 5th weekend of the month from Friday 5:00 PM until Sunday at 5:00 PM.

In the summer when there is no school, grandmother shall have the child for one period of SEVEN (7) days for vacation time. Grandmother shall select her vacation time by 4/1 every year of what week she will use her seven (7) days.

Plaintiff and Defendant shall select the child's school.

Ms. Conant shall prepare the Order.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	05/03/2023	Page 14 of 33	Minutes Date:	September 19, 2019
-------------	------------	---------------	---------------	--------------------

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

Grandmother verified her address as 10461 Hartford Hills 89166.

Counsel indicated they never received an Order for medication. Counsel further indicated they had a copy of settlement proposal for Mother.

Mother had concerns about grandmother giving her child medication. Grandmother explained the child had bad allergies and she provided Zertex.

Christmas addressed.

COURT ORDERED, as follows:

Ms. Conanat shall E-mail a copy of the 9/14/20 Order.

Parties shall be referred to Family Mediation Center (FM) to formulate a visitation plan for Grandmother. Parties shall discuss the medication at FMC.

Grandmother shall not give medication to the children unless she talks to Mother.

Parties shall try to come to an agreement regarding Christmas visitation for grandmother, if no agreement, Counsel may call Chambers after Thanksgiving to set an emergency hearing before Christmas.

INTERIM CONDITIONS:

FUTURE HEARINGS: Nov 03, 2020 11:00AM Return Hearing
FMC
Courtroom 07 Ochoa, Vincent

PRINT DATE:	05/03/2023	Page 16 of 33	Minutes Date:	September 19, 2019
-------------	------------	---------------	---------------	--------------------

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

Accordingly, Intervenor s Motion shall be heard on February 24, 2021, at 9:15 AM in Department S. The Return Hearing from FMC currently set for Thursday, February 04, 2021 @ 11:00 AM shall be reset to February 24, 2021, at 9:15 AM.

A copy of this Minute Order shall be provided to all parties.

INTERIM CONDITIONS:

FUTURE HEARINGS:

Court explained its hard for the mother to be charged with abduction. Court noted Defendant (Dad) has not participated in the proceedings.

Discussion.

COURT ORDERED, as follows:

Temporarily grandmother shall have telephone contact with the children on Tuesday and Thursday at 6:00 PM or 6:30 PM Michigan time.

Temporarily if Mother is going to reside in Michigan, grandmother shall get 2-3 weeks in the summer, one week spring and one week in the winter.

A pick-up order is ISSUED asking the law enforcement in Nevada and Michigan to assist. No arrest or warrants language shall be in the pick-up order. Once the children are back in Nevada, Counsel shall notify the Court within 72 hours of the children being picked up and a hearing will be scheduled. At that hearing, a trial will be set, and discussion of contempt.

Ms. Jacovino shall explain that contempt will be for taking the children out of state without permission, denying grandmother visitation (weekend and holiday visitations) which she was fully aware off. Counsel shall be very specific in the order pertaining to contempt.

Ms. Jacovino shall prepare Pick-Up Order and the Order after hearing.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	05/03/2023	Page 20 of 33	Minutes Date:	September 19, 2019
-------------	------------	---------------	---------------	--------------------

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Child Custody Complaint

COURT MINUTES

January 20, 2022

D-19-594413-C Tamika Beatrice Jones, Plaintiff.
vs.
Christopher Charles Judson, Defendant.

January 20, 2022 10:15 AM All Pending Motions

HEARD BY: Ochoa, Vincent

COURTROOM: Courtroom 07

COURT CLERK: Yvette Clayton

PARTIES:

Christopher Judson, Defendant, not present	Pro Se
Jillian Tindall, Unbundled Attorney, not present	
Kimberly White, Intervenor, not present	Janice Jacovino, Attorney, not present
Kimberly White, Intervenor, not present	Julio Vigoreaux, Jr., Attorney, not present
Mark McGannon, Unbundled Attorney, not present	
Tamika Jones, Plaintiff, not present	Pro Se
Xaia Judson, Subject Minor, not present	
Xionne Judson, Subject Minor, not present	
Xy'Shone Judson, Subject Minor, not present	

JOURNAL ENTRIES

- EMERGENCY MOTION FOR STAY OF ORDER FOR RETURN OF CHILDREN...PICK UP ORDER....INTERVENOR'S OPPOSITION TO PLAINTIFF'S EMERGENCY MOTION FOR STAY OF ORDER FOR RETURN OF CHILD AND PLAINTIFF'S EMERGENCY EX PARTE MOTION FOR STAY OF ORDERS FOR RETURN CHILD AND COUNTERMOTION FOR AN ORDER TO SHOW CAUSE AS TO WHY PLAINTIFF SHOULD NOT BE HELD IN CONTEMPT OF COURT PURSUANT TO NRS1.20(3), NRS 22.100, AND NRS 22.110; FOR THE COURT TO FIND PLAINTIFF GUILTY OF CHILD ABDUCTION; FOR IMMEDIATE RETURN OF THE REMAINING MINOR CHILD TO LAS VEGAS, NEVADA; FOR ATTORNEY'S FEES AND COSTS; AND RELATED RELIEF

Attorney Mark McGannon appeared by audiovisual with Plaintiff.

PRINT DATE:	05/03/2023	Page 21 of 33	Minutes Date:	September 19, 2019
-------------	------------	---------------	---------------	--------------------

Attorney Julio Vigoreaux Jr. appeared by audiovisual with Intervenor (grandmother).

After inquiry Mr. McGannon stated Plaintiff was in Nevada right now.

Court recapped the history. Arguments by both Counsel.

Court cited Lawrimore vs Lawrimore 461 Pacific 3rd 896; Hudson vs Jones 122 NV 708 2006.

Court clarified Court will not terminate custody of the parents.

Mr. Vigoreaux confirmed two of the children are in Nevada and the other one is in Michigan.
Discussion.

COURT ORDERED, as follows:

The child Xyshone C. Judson shall be referred to Family Mediation Center(FMC) for a child interview.

Status check set 1/26/22 at 11:00 AM,, for Parties to agree on visitation rights by telephone and also in person for the grandmother when the children are not in school. Assurances from the Parents that they are going to obey the Order.

If an agreement is reached on visitation Court will close the case. If the visitation is denied there will be a pick-up order.

Plaintiff may amend her pleadings before the trial date.

If Plaintiff is in Nevada, she may have supervised visitation and have telephone and video visits

EH SET 7/22/22 at 9:00 AM. Scheduling Order will be sent out by the Court.

INTERIM CONDITIONS:

FUTURE HEARINGS: Jan 21, 2022 2:00PM Hearing
Courtroom 07 Ochoa, Vincent

PRINT DATE:	05/03/2023	Page 22 of 33	Minutes Date:	September 19, 2019
-------------	------------	---------------	---------------	--------------------

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

January 21, 2022

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

Mr. Vigoreaux stated there was currently an investigation by the Michigan CPS.

Defendant appeared and canvassed. Defendant indicated he was not aware where the children were Defendant agreed that the children can go to Michigan.

Court warned Plaintiff about disobeying Court's Order and if history repeats itself there will be serious consequences.

Grandmother stated her concerns.

COURT ORDERED, as follows:

Mr. McGannon shall prepare an order that reflects grandmother parental visitation Order with telephone visits, and that Plaintiff is aware of that order and will follow and obey the order, or there shall be consequences if she does not. Plaintiff shall sign the order which will reflect she is aware of the order. The visitation order is as follows from the 2/24/21 hearing: Temporarily grandmother shall have telephone contact with the children on Tuesday and Thursday at 6:00 PM or 6:30 PM Michigan time. Temporarily if Mother is going to reside in Michigan, grandmother shall get 2-3 weeks in the summer, one week spring and one week in the winter.

If Michigan CPS has concerns they shall submit documentation to this Court.

The children shall return to Michigan unless the NV or Michigan CPS ask the children remain in Nevada.

If Grandmother transport the children back to Michigan it shall be at her expense.

Counsel shall notify Michigan CPS the children are returning to Michigan.

The EH STANDS on 7/22/22.

The child interview STANDS. Arrangements for the child interview shall be made even though it may be by video.

Mr. McGannon shall prepare the Order and Mr. Vigoreaux shall review then sign off.

INTERIM CONDITIONS:

FUTURE HEARINGS: Jan 21, 2022 2:00PM Hearing
Courtroom 07 Ochoa, Vincent

PRINT DATE:	05/03/2023	Page 24 of 33	Minutes Date:	September 19, 2019
-------------	------------	---------------	---------------	--------------------

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

PRINT DATE:	05/03/2023	Page 25 of 33	Minutes Date:	September 19, 2019
-------------	------------	---------------	---------------	--------------------

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

Julio Vigoreaux, Esq., the attorney of record for Intervenor, filed a Motion to Withdraw as Counsel of Record on February 03, 2022.

A Certificate of Service was attached to the Motion to Withdraw filed on February 03, 2022.

As of March 17, 2022, the parties have yet to file an opposition or other responsive pleading to the above-mentioned motion.

Accordingly, based on the failure of the parties to file a timely opposition, Mr. Julio Vigoreaux s, motion is GRANTED as unopposed pursuant to EDCR 2.20(e) ("Failure of the opposing party to serve and file written opposition [to the motion within 14 days] may be construed as an admission that the motion and/or joinder is meritorious and a consent to granting the same.").

The hearing currently set for March 21, 2022, is HEREBY VACATED.

Julio Vigoreaux, Esq. SHALL prepare the Order.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	05/03/2023	Page 27 of 33	Minutes Date:	September 19, 2019
-------------	------------	---------------	---------------	--------------------

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

Michigan. Plaintiff verified her address in Michigan.

Arguments. Mr. McGannon requested Paternity test on all the children and discovery.

Court was concerned about if this Court have Jurisdiction because Plaintiff and children reside in Michigan.

Ms. Molnar addressed the signature on affidavit.

COURT ORDERED, as follows:

Court re-confirmed grandmother shall have the children from 7/11/22 until 7/25/22. It was confirmed grandmother will pay for the transportation of the children to and from Las Vegas. Grandmother shall provide to Plaintiff the ticket, the location of where she is taking the children, a telephone number to reach in case of an emergency

The EH is reset from 7/22/22 to 2-3-23 at 9:00 AM. No more continuations.

Discovery may be done. Any discovery issue will be dealt with the discovery commissioner.

Plaintiff shall provide Defendant's address to her attorney and he will provide to Ms. Molnar.

McGannon shall prepare an Order for Paternity test for the three children. If the father cannot be found, Grandmother may be tested.

Grandmother custody request is DENIED. Grandmother may file a new complaint for custody and explain the reasons and the cases will be consolidated.

Mr. McGannon shall prepare the order and Ms. Molnar shall review then sign off,

INTERIM CONDITIONS:

FUTURE HEARINGS: Feb 03, 2023 9:00AM Evidentiary Hearing
Courtroom 07 Ochoa, Vincent

Feb 03, 2023 9:00AM Return Hearing
Child Interview
Courtroom 07 Ochoa, Vincent

PRINT DATE:	05/03/2023	Page 29 of 33	Minutes Date:	September 19, 2019
-------------	------------	---------------	---------------	--------------------

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

Court ORDERED, the matter shall be taken UNDER ADVISEMENT. The Court shall review the record and issue a written decision.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	05/03/2023	Page 31 of 33	Minutes Date:	September 19, 2019
-------------	------------	---------------	---------------	--------------------

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

March 14, 2023

D-19-594413-C Tamika Beatrice Jones, Plaintiff.
vs.
Christopher Charles Judson, Defendant.

March 14, 2023 2:20 PM Minute Order

HEARD BY: Ochoa, Vincent

COURTROOM: Courtroom 07

COURT CLERK: Andrelle Stanley

PARTIES:

Christopher Judson, Defendant, not present	Pro Se
Jillian Tindall, Unbundled Attorney, not present	
Kimberly White, Intervenor, not present	Janice Jacovino, Attorney, not present
Kimberly White, Intervenor, not present	Julio Vigoreaux, Jr., Attorney, not present
Mark McGannon, Unbundled Attorney, not present	
Tamika Jones, Plaintiff, not present	Pro Se
Xaia Judson, Subject Minor, not present	
Xionne Judson, Subject Minor, not present	
Xy'Shone Judson, Subject Minor, not present	

JOURNAL ENTRIES

- MINUTE ORDER FROM CHAMBERS

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), this Court can consider a motion and issue a decision on the papers at any time without a hearing.

Further, pursuant to EDCR 5.206, a party filing a motion is required to serve the opposing party with a copy of all papers filed within 3 calendar days of submission for filing. If after serving copies of the pleadings, the filing party receives a hearing time not contained in the original service, and notice of the hearing has not been provided by the clerk, the filing party must serve a notice of hearing on all

PRINT DATE:	05/03/2023	Page 32 of 33	Minutes Date:	September 19, 2019
-------------	------------	---------------	---------------	--------------------

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

other parties to the action, in accordance with the NRCP and these rules, within 3 days of receiving the hearing time.

On January 31, 2023, Intervenor filed a Motion for the Court to Request Records from Nevada and Michigan CPS Regarding Plaintiff and Minor Children. There is no proof of service on file for the aforementioned Motion.

Accordingly, proper service was not effectuated for Intervenor's Motion. The matter on Chamber's Calendar for March 14, 2023, SHALL BE VACATED.

A copy of this minute order shall be provided to both parties.

CLERK'S NOTE: A copy of this Minute Order was provided to all parties. (as 03/14/23)

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	05/03/2023	Page 33 of 33	Minutes Date:	September 19, 2019
-------------	------------	---------------	---------------	--------------------

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



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

KIMBERLY WHITE
10461 HARTFORD HILLS AVE.
LAS VEGAS, NV 89166

DATE: May 3, 2023
CASE: D-19-594413-C

RE CASE: TAMIKA BEATRICE JONES vs. CHRISTOPHER CHARLES JUDSON

NOTICE OF APPEAL FILED: May 1, 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
 - *Previously paid Bonds are not transferable between appeals without an order of the District Court.*
- ☐ Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

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

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

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

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

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF INTENT TO APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

TAMIKA BEATRICE JONES,

Plaintiff(s),

vs.

CHRISTOPHER CHARLES JUDSON,

Defendant(s),

vs.

KIMBERLY WHITE,

Intervenor(s).,

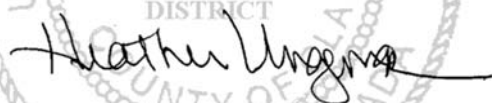
Case No: D-19-594413-C

Dept No: S

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 3 day of May 2023.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk