

IN THE SUPREME COURT OF THE STATE OF NEVADA

FILED

FEB 2 2024

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
DEPUTY CLERK

INDICATE FULL CAPTION:

Mario Accomando, Appellant

No. 87888

v.

DOCKETING STATEMENT  
CIVIL APPEALS

Georgann Accomando, Respondant

GENERAL INFORMATION

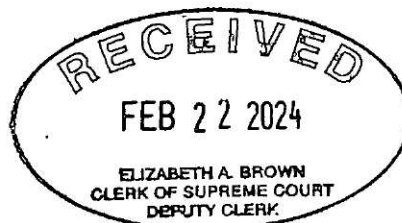
Appellants must complete this docketing statement in compliance with NRAP 14(a). The purpose of the docketing statement is to assist the Supreme Court in screening jurisdiction, identifying issues on appeal, assessing presumptive assignment to the Court of Appeals under NRAP 17, scheduling cases for oral argument and settlement conferences, classifying cases for expedited treatment and assignment to the Court of Appeals, and compiling statistical information.

WARNING

This statement must be completed fully, accurately and on time. NRAP 14(c). The Supreme Court may impose sanctions on counsel or appellant if it appears that the information provided is incomplete or inaccurate. *Id.* Failure to fill out the statement completely or to file it in a timely manner constitutes grounds for the imposition of sanctions, including a fine and/or dismissal of the appeal.

A complete list of the documents that must be attached appears as Question 27 on this docketing statement. Failure to attach all required documents will result in the delay of your appeal and may result in the imposition of sanctions.

This court has noted that when attorneys do not take seriously their obligations under NRAP 14 to complete the docketing statement properly and conscientiously, they waste the valuable judicial resources of this court, making the imposition of sanctions appropriate. See KDI Sylvan Pools v. Workman, 107 Nev. 340, 344, 810 P.2d 1217, 1220 (1991). Please use tab dividers to separate any attached documents.



Revised December 2015

24-07227

1. Judicial District 8th Judicial District Department O  
County Clark Judge Regina M. McConnell  
District Ct. Case No. D-21-628915-D

**2. Attorney filing this docketing statement:**

Attorney Mario Accomando / Pro Se Telephone 773-308-5041  
Firm \_\_\_\_\_  
Address 8546 Procyon Las Vegas, NV. 89139

Client(s) Mario Accomando

If this is a joint statement by multiple appellants, add the names and addresses of other counsel and the names of their clients on an additional sheet accompanied by a certification that they concur in the filing of this statement.

**3. Attorney(s) representing respondents(s):**

Attorney Maria Milano Telephone 702-727-7777  
Firm Reza, Athari Mills and Fink PLLC.  
Address 3365 Pepper Lane  
Las Vegas, NV. 89120

Client(s) Georgann Accomando

Attorney \_\_\_\_\_ Telephone \_\_\_\_\_  
Firm \_\_\_\_\_  
Address \_\_\_\_\_

Client(s) 702

(List additional counsel on separate sheet if necessary)

**4. Nature of disposition below (check all that apply):**

- |   |  |
|---|--|
| <input type="checkbox"/> Judgment after bench trial         | <input type="checkbox"/> Dismissal:  |
| <input type="checkbox"/> Judgment after jury verdict        | <input type="checkbox"/> Lack of jurisdiction                                      |
| <input type="checkbox"/> Summary judgment                   | <input type="checkbox"/> Failure to state a claim                                  |
| <input type="checkbox"/> Default judgment                   | <input type="checkbox"/> Failure to prosecute                                      |
| <input type="checkbox"/> Grant/Denial of NRCP 60(b) relief  | <input type="checkbox"/> Other (specify): _____                                    |
| <input type="checkbox"/> Grant/Denial of injunction         | <input checked="" type="checkbox"/> Divorce Decree:                                |
| <input type="checkbox"/> Grant/Denial of declaratory relief | <input checked="" type="checkbox"/> Original <input type="checkbox"/> Modification |
| <input type="checkbox"/> Review of agency determination     | <input type="checkbox"/> Other disposition (specify): _____                        |

**5. Does this appeal raise issues concerning any of the following?**

- ☐ Child Custody
- ☐ Venue
- ☐ Termination of parental rights

**6. Pending and prior proceedings in this court.** List the case name and docket number of all appeals or original proceedings presently or previously pending before this court which are related to this appeal:

None

**7. Pending and prior proceedings in other courts.** List the case name, number and court of all pending and prior proceedings in other courts which are related to this appeal (e.g., bankruptcy, consolidated or bifurcated proceedings) and their dates of disposition:

None

**8. Nature of the action.** Briefly describe the nature of the action and the result below:

Plaintiff's Motion to Enforce Order, for Attorney's Fees and for an Order Reducing Attorney's Fees to Judgment.

**9. Issues on appeal.** State concisely the principal issue(s) in this appeal (attach separate sheets as necessary):

1. Court failed to contact Defendant for hearing. (Filed 11/27/2023 Notice of Telephonic Hearing Doc ID# 173 [173] Notice of Intent to Appear by Communication Equipment) Court noted this as a Fail To Appear. Court ruled in favor of Plaintiff based upon the FTA. Statements at hearing provided by the Plaintiff were factually untrue. Defendant has the right to defend himself at hearing and would have presented testimony and documentary evidence to refute the Plaintiff's claim(s). Defendant will now present the evidence and testimony to the appellate court to support this claim.

**10. Pending proceedings in this court raising the same or similar issues.** If you are aware of any proceedings presently pending before this court which raises the same or similar issues raised in this appeal, list the case name and docket numbers and identify the same or similar issue raised:

None

**11. Constitutional issues.** If this appeal challenges the constitutionality of a statute, and the state, any state agency, or any officer or employee thereof is not a party to this appeal, have you notified the clerk of this court and the attorney general in accordance with NRAP 44 and NRS 30.130?

☒ N/A

☐ Yes

☐ No

If not, explain:

**12. Other issues.** Does this appeal involve any of the following issues?

☐ Reversal of well-settled Nevada precedent (identify the case(s))

☒ An issue arising under the United States and/or Nevada Constitutions

☐ A substantial issue of first impression

☐ An issue of public policy

☐ An issue where en banc consideration is necessary to maintain uniformity of this court's decisions

☐ A ballot question

If so, explain: A person at hearing or trial has a right to appear and represent himself as a Pro Se party. To ignore this right is a violation of 28 USC § 1654. The Defendant filed all of the proper paperwork and was denied access to the court to present his position as opposition to the Plaintiff's motion.

**13. Assignment to the Court of Appeals or retention in the Supreme Court.** Briefly set forth whether the matter is presumptively retained by the Supreme Court or assigned to the Court of Appeals under NRAP 17, and cite the subparagraph(s) of the Rule under which the matter falls. If appellant believes that the Supreme Court should retain the case despite its presumptive assignment to the Court of Appeals, identify the specific issue(s) or circumstance(s) that warrant retaining the case, and include an explanation of their importance or significance:

The Defendant is not opposed to the assignment to either court.

**14. Trial.** If this action proceeded to trial, how many days did the trial last? N/A

Was it a bench or jury trial? \_\_\_\_\_

**15. Judicial Disqualification.** Do you intend to file a motion to disqualify or have a justice recuse him/herself from participation in this appeal? If so, which Justice?

No

## TIMELINESS OF NOTICE OF APPEAL

**16. Date of entry of written judgment or order appealed from** 11/29/23

If no written judgment or order was filed in the district court, explain the basis for seeking appellate review:

**17. Date written notice of entry of judgment or order was served** 01/03/24

Was service by:

☐ Delivery

☒ Mail/electronic/fax

**18. If the time for filing the notice of appeal was tolled by a post-judgment motion (NRCP 50(b), 52(b), or 59)**

(a) Specify the type of motion, the date and method of service of the motion, and the date of filing.

☐ NRCP 50(b)      Date of filing \_\_\_\_\_

☐ NRCP 52(b)      Date of filing \_\_\_\_\_

☐ NRCP 59      Date of filing \_\_\_\_\_

**NOTE: Motions made pursuant to NRCP 60 or motions for rehearing or reconsideration may toll the time for filing a notice of appeal. See AA Primo Builders v. Washington, 126 Nev. \_\_\_, 245 P.3d 1190 (2010).**

(b) Date of entry of written order resolving tolling motion \_\_\_\_\_

(c) Date written notice of entry of order resolving tolling motion was served \_\_\_\_\_

Was service by:

☐ Delivery

☐ Mail

**19. Date notice of appeal filed** 01/07/24

If more than one party has appealed from the judgment or order, list the date each notice of appeal was filed and identify by name the party filing the notice of appeal:

**20. Specify statute or rule governing the time limit for filing the notice of appeal, e.g., NRAP 4(a) or other**

---

**SUBSTANTIVE APPEALABILITY**

**21. Specify the statute or other authority granting this court jurisdiction to review the judgment or order appealed from:**

(a)

- |   |                                       |
|---|---------------------------------------|
| <input type="checkbox"/> NRAP 3A(b)(1)                                  | <input type="checkbox"/> NRS 38.205   |
| <input type="checkbox"/> NRAP 3A(b)(2)                                  | <input type="checkbox"/> NRS 233B.150 |
| <input type="checkbox"/> NRAP 3A(b)(3)                                  | <input type="checkbox"/> NRS 703.376  |
| <input checked="" type="checkbox"/> Other (specify) <u>Rule 4(a)(4)</u> |                                       |
- 

(b) Explain how each authority provides a basis for appeal from the judgment or order:

The District court erred in failing to allow the Defendant to present a defense.



**22. List all parties involved in the action or consolidated actions in the district court:**

(a) Parties:

1. Mario Accomando
2. Georgann Accomando

(b) If all parties in the district court are not parties to this appeal, explain in detail why those parties are not involved in this appeal, *e.g.*, formally dismissed, not served, or other:

None

**23. Give a brief description (3 to 5 words) of each party's separate claims, counterclaims, cross-claims, or third-party claims and the date of formal disposition of each claim.**

Right to appear in defense (Mario Accomando)

**24. Did the judgment or order appealed from adjudicate ALL the claims alleged below and the rights and liabilities of ALL the parties to the action or consolidated actions below?**

☒ Yes

☐ No

**25. If you answered "No" to question 24, complete the following:**

(a) Specify the claims remaining pending below:

(b) Specify the parties remaining below:

(c) Did the district court certify the judgment or order appealed from as a final judgment pursuant to NRCP 54(b)?

☐ Yes

☒ No

(d) Did the district court make an express determination, pursuant to NRCP 54(b), that there is no just reason for delay and an express direction for the entry of judgment?

☒ Yes

☐ No

**26. If you answered "No" to any part of question 25, explain the basis for seeking appellate review (e.g., order is independently appealable under NRAP 3A(b)):**

**27. Attach file-stamped copies of the following documents:**

- The latest-filed complaint, counterclaims, cross-claims, and third-party claims
- Any tolling motion(s) and order(s) resolving tolling motion(s)
- Orders of NRCP 41(a) dismissals formally resolving each claim, counterclaims, cross-claims and/or third-party claims asserted in the action or consolidated action below, even if not at issue on appeal
- Any other order challenged on appeal
- Notices of entry for each attached order

## VERIFICATION

I declare under penalty of perjury that I have read this docketing statement, that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief, and that I have attached all required documents to this docketing statement.

Mario Accomando  
Name of appellant

Pro Se  
Name of counsel of record

02/16/2024  
Date

Signature of counsel of record

Clark County, Nevada  
State and county where signed

## CERTIFICATE OF SERVICE

I certify that on the 16th day of February, 2024, I served a copy of this completed docketing statement upon all counsel of record:

☐ By personally serving it upon him/her; or

☒ By mailing it by first class mail with sufficient postage prepaid to the following address(es): (NOTE: If all names and addresses cannot fit below, please list names below and attach a separate sheet with the addresses.)

Reza Atharui Mills and Fink PLLC.  
3365 Pepper Lane  
Las Vegas, NV. 89120

Dated this 16th day of February, 2024

  
Signature

*Heather L. Lemin*  
CLERK OF THE COURT

1 **ORDR**  
2 **MARIA L. MILANO, ESQ.**  
3 Nevada Bar # 7121  
4 **REZA ATHARI, MILLS & FINK, PLLC**  
5 **A multi-jurisdictional law firm**  
6 3365 Pepper Ln., Suite 102  
7 Las Vegas, NV 89120  
8 Tel: (702) 727-7777  
9 Fax: (702) 458-8508  
10 mariamilano@atharilaw.com  
11 Attorney for Plaintiff,  
12 **GEORGANN ROSE ACCOMANDO**

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

15 **GEORGANN ROSE ACCOMANDO,**

16 **Plaintiff,**

17 **vs.**

18 **MARIO ACCOMANDO,**

19 **Defendant,**

) **CASE NO.: D-21-628915-D**  
) **DEPT. NO.: O**

20 **ORDER AFTER HEARING**

21 This case having come on for a hearing on November 29, 2023,  
22 at 10:00 AM, Plaintiff, GEORGANN ROSE ACCOMANDO and her counsel,  
23 MARIA L. MILANO, ESQ. of REZA ATHARI, MILLS & FINK, PLLC, appeared  
24 in person. Defendant MARIO ACCOMANDO did not appear.

25 **NOW THEREFORE:** THE COURT NOTES that the case was called at 10:22 a.m.  
26 with no appearance by Defendant.

27 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that the  
28 Plaintiff, GEORGANN ACCOMANDO shall be awarded the real property  
located at 8546 S. Procyon Street, Las Vegas, Nevada 89139, as her  
sole and separate property.

1 IT IS FURTHER ORDERED that any and all documents necessary to  
2 effectuate the transfer of the property located 8546 S. Procyon  
3 Street, Las Vegas, Nevada 89139, including, but not limited to,  
4 quitclaim deeds shall be executed pursuant to NRCP 70.

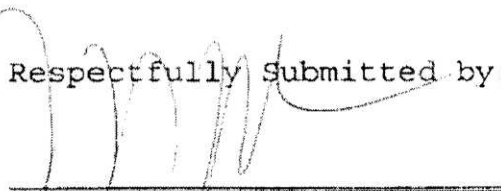
5 IT IS FURTHER ORDERED that Plaintiff, GEORGANN ACCOMANDO  
6 shall immediately list said property and maintain said property  
7 for sale.

8 IT IS FURTHER ORDERED that Defendant, MARIO ACCOMANDO shall  
9 be paid his share of the equity after all Court ordered monetary  
10 awards granted to Plaintiff, GEORGANN ACCOMANDO are deducted from  
11 Defendant, MARIO ACCOMANDO's share of the equity.

12 IT IS FURTHER ORDERED that Plaintiff shall be awarded  
13 attorney's fees and costs in the amount of \$ 1,970.50  
14 Attorney's fees and costs are reduced to judgment and are  
15 collectible by any legal means.  
16  
17  
18

19 Dated this 30th day of November, 2023

20 

21 Respectfully Submitted by:  
22 

23 MARIA L. MILANO, ESQ.  
24 Nevada Bar # 7121  
25 REZA ATHARI, MILLS & FINK, PLLC  
26 626 S. 9<sup>th</sup> Street  
27 Las Vegas, NV 89101  
28 Attorney for Plaintiff,  
GEORGANN ACCOMANDO

LS  
E84 F7B 2357 6F45  
Regina M. McConnell  
District Court Judge

1 CSERV

2 DISTRICT COURT  
3 CLARK COUNTY, NEVADA  
4

5  
6 Georgann Rose Accomando,  
7 Plaintiff

CASE NO: D-21-628915-D

DEPT. NO. Department O

8 vs.

9 Mario Accomando, Defendant.  
10

11 **AUTOMATED CERTIFICATE OF SERVICE**

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

Service Date: 11/30/2023

15 State Department statedepartment@atharilaw.com

16 Maria Milano mariamilano@atharilaw.com

17 Mario Accomando ninaa1948@yahoo.com

18 Mario Accomando relay@lasvegasboxer.com

19 Mario Accomando marioa@rezenkowsky.com  
20  
21  
22  
23  
24  
25  
26  
27  
28