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No. D-48603

Dept. No. _____

IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR CARSON CITY, STATE OF NEVADA

LINDA CARTWRIGHT,
Plaintiff,
vs.
BRADY C. CARTWRIGHT,
Defendant.

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
JUDGMENT AND DECREE

THIS CAUSE coming on regularly for trial this day before the Court, sitting without a jury, Plaintiff appearing in person and by her attorney, PATRICK B. WALSH, ESQ. of the law firm of SHEERIN, O'REILLY, WALSH & KEELE, and the Defendant having made default in failing to answer or otherwise plead within the time allowed by law; and it appearing to the Court that the Defendant was duly and legally served with Summons and Complaint on the ^{24th} day of ^{March} April, 1983 at Las Vegas, Clark County, Nevada, in accordance with law and the order of this Court; that he has failed to answer or otherwise plead within the time allowed by law; that his default for failure to answer or otherwise plead has been duly and regularly entered by the Clerk of this Court; that the Court having heard the testimony and having examined the proofs offered by the Plaintiff and the files herein, and the Court being fully advised in the premises, now makes the following:

1 FINDINGS OF FACT

2 I.

3 That Plaintiff is a resident of the State of Nevada,
4 and for a period of more than six weeks immediately preceding
5 the filing of this action has been physically present and
6 domiciled in the State of Nevada, and now so resides and is so
7 domiciled therein.

8 II.

9 That Plaintiff and Defendant were married to each other
10 at Virginia City, Nevada on the 20th day of March, 1982 and
11 ever since that time have been and now are husband and wife.

12 III.

13 That there are no minor children born as issue of this
14 marriage.

15 IV.

16 That prior to the marriage of the parties, the Plain-
17 tiff had as her sole and separate property the 1976 Camaro auto-
18 mobile and her personal effects, clothing and jewelry, and
19 Plaintiff had as her personal indebtedness the amount of
20 approximately \$1,500 to VISA; the amount of approximately
21 \$2,460 to the Clark County Credit Union; and, the amount of
22 approximately \$1,100 to Nellis Credit Union.

23 V.

24 That prior to the marriage between the parties, the
25 Defendant had as his sole and separate property a 1976 Dodge
26 automobile and his personal effects, clothing and jewelry, and
27 Defendant had has his personal indebtedness the amount of
28 approximately \$2,200 owed to Clark County Credit Union; the
29 amount of approximately \$270 owed to First Interstate Bank; the
30 amount of approximately \$930 owed to Mastercard; and the amount
31 of approximately \$3,070 to the Nevada State Employees Credit
32 Union in the form of two separate loans.

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VI.

That during the marriage of the parties, the Plaintiff and Defendant did purchase a home located at 1579 Downs, Minden, Douglas County, Nevada and incurred debts on said home in the form of a first from Colwell Company, a second from Nevtel Credit Union and a loan from the Clark County Credit Union, which home should be put up for sale upon the filing of this Complaint and Plaintiff is entitled to have the proceeds of that sale used to pay off the first, second and third mortgages against the dwelling and any balance to be split 50/50 between the parties after all attorneys fees and costs have been paid which have been incurred in bringing this action.

VII.

That prior to this marriage, the Plaintiff was known as LINDA SAMES.

VIII.

That since the time of this marriage the Plaintiff and Defendant have become and presently are incompatible.

CONCLUSIONS OF LAW

From the foregoing, the Court concludes that Plaintiff is entitled to the relief prayed for in her Complaint.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. That the Plaintiff be, and she hereby is finally and absolutely divorced from the Defendant and that the bonds of matrimony heretofore existing between the Plaintiff and Defendant be and the same are hereby forever dissolved and each of the parties are released from all the obligations thereof and restored to the status of an unmarried person.

2. That the Wife receive as her sole and separate property the following:

a. The 1976 Camero Automobile;

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- b. Personal effects, clothings and jewelry; and
- c. One-half the net equity in the home located at 1579 Downs, Minden, Douglas County, Nevada.

3. That the Plaintiff shall be responsible for the following debts:

- a. To Visa in the amount of \$1,500;
- b. To Clark County Credit Union in the approximate amount of \$2,460;
- c. To Nellis Credit Union in the approximate amount of \$1,100.

4. That the Defendant shall receive as his sole and separate property the follows:

- a. 1976 Dodge automobile;
- b. Personal effects, clothing and jewelry; and
- c. One-half net equity in the home located at 1579 Downs, Minden, Douglas County, Nevada.

5. That the Defendant shall be responsible to pay the following debts:

- a. To Clark County Credit Union in the approximate amount of \$2,200;
- b. To First Interstate Bank in the approximate amount of ^{\$270.00} ~~\$2,700~~;
- c. To Mastercard in the approximate amount of \$930;
- d. To the Nevada State Employees Credit Union in the amount of \$3,070 which amount is the aggregate of two separate loans.

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6. That the real property of the parties located at 1579 Downs, Minden, Douglas County, Nevada shall be sold and the proceeds distributed as follows:

a. All indebtedness relating to the house, including the first mortgage to Collwell Company, the second mortgage to Nevitel Credit Union and a loan from the Clark County Credit Union as well as any other debts incurred in the purchase of the home and the sale of home, shall be paid in full;

b. The balance remaining shall be used to pay the attorney's fees and costs incurred by Plaintiff in bringing this action;

c. The balance, if any, shall be split 50/50 between Plaintiff and Defendant.

7. That if the Defendant refuses to cooperate in the sale of said property the Clerk of this Court shall issue such deeds and documents as shall be necessary to effect the sale and distribution described above.

8. That the Plaintiff shall be restored to the use of her former name, to-wit; LINDA SAMES.

DONE IN OPEN COURT this 18th day of April, 1983.

Michael R. Griffin
DISTRICT JUDGE

REQUESTED BY
Sheridan O'Reilly
RE OFFICIAL RECORDS OF
DOUGLAS CO. NEVADA
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1983 APR 18 AM 9:18

SUZANNE DEAUDREAU
RECORDER

Suzanne Deaudreau
Dep. 078815 BOOK 483 PAGE 851

FILED
The Clerk of the District Court
for the County of Douglas, Nevada
DOUGLAS COUNTY, NEVADA
DATE: April 18, 1983 SEAL
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BY: *M. R. Griffin*

Sheridan, O'Reilly,
Waltch & Korte
Attorneys At Law
Carson City and
Bathurst, Nevada