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DA

1 Case No. 95-UR-0016

2 Dept. II

FILED-

3 NO. _____

4 '95 APR 24 A9:15

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6 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7 BY D. DALEY
8 IN AND FOR THE COUNTY OF DOUGLAS

8 STATE OF NEVADA, BY AND THROUGH
9 THE WELFARE DIVISION OF THE
10 DEPARTMENT OF HUMAN RESOURCES,
11 AND DENISE C. THURMOND,

11 Petitioner/Obligee,

12 vs.

12 DANIEL LEROY THURMOND,

13 Respondent/Obligor,
14 _____ /

ORDER AND JUDGMENT
CONFIRMING MASTER'S
FINDINGS AND
RECOMMENDATIONS FOR
SUPPORT

15 ORDER AND JUDGMENT

16 THIS MATTER having regularly come for hearing before
17 the Master on the 20th day of April, 1995; the
18 Petitioner/Obligee being () present () not present; and the
19 Respondent/Obligor being duly served and () present () not
20 present, and represented by HIMSELF; and Shannon Oien
21 of the Douglas County District Attorney's Office appearing and
22 representing the State of Nevada's interest in the support and
23 welfare of the child(ren) pursuant to law. After hearing all of
24 the evidence and being fully advised in the premises, the Master
25 makes the following findings and recommendations:

26
27
28

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The Court has jurisdiction of the parties and of the subject matter of this case.

2. The Respondent/Obligor is the parent of the following children:

JASON THURMOND Born: 08/25/77
JOSEPH THURMOND Born: 06/16/86

3. The Respondent/Obligor has a duty to support the above-named children;

4. The Respondent/Obligor owes support arrears to the Petitioner/Obligee in the amount of \$ 2400 from May 1994 through April 1, 1995.

5. The Respondent/Obligor's Gross Monthly Income is \$ 819 and 25 % of that amount is \$ 205.

6. The Respondent/Obligor's child support obligation pursuant to NRS (125B.070), NRS 125B.080, or Existing Order is \$ 205 ~~per child~~ per month;

7. The amount of the child support obligation determined by the Master deviates from the NRS 125B.070 percentage formula on the following grounds: _____

8. This modifies the previously filed or registered Order in Case No. _____, entered on the _____ day of _____, 19____, in the State of _____, County of _____, Court, _____.

1 IT IS FURTHER FOUND THAT: Older son emancipates in
2 August 1995. Effective September 1 Child support
3 shall be \$147.00 per month, with \$20 per month
4 then to be paid on arrears. Modest earnings
5 warrant no arrears repayment until emancipation
6 of elder son

7 IT IS HEREBY RECOMMENDED THAT:

8 1. (✓) A judgment of support arrears is entered in favor
9 of the Petitioner/Obligee and against the Respondent/Obligor in
10 the amount of \$ 2400 from 5.94 through April 1,
11 1995, and the Respondent/Obligor is to pay \$ 20 per month
12 beginning September 1, 1995 and also continuing each
13 and every month thereafter until paid in full.

14 2. (✓) The Respondent/Obligor shall pay \$ 205 per
15 month as and for ongoing child support, beginning May 1,
16 1995, adjusted in September per findings in this order

17 3. (✓) The Respondent/Obligor shall pay a total of
18 \$ 205 per month as follows: with adjustments as

19 referenced
CHILD SUPPORT: 205 Commencing 5.1.95
20 ARREARS: AS RECOMMENDED Commencing 9/1/95
21 SPOUSAL SUPPORT: _____ Commencing _____
22 OTHER: _____ Commencing _____

23
24 OTHER RECOMMENDATIONS REGARDING PAYMENT: Support

25 reduce to \$147 monthly, effective 9/1/95,
26 and arrears repayment of twenty dollars
27 (\$20) per month to commence 9/1/95.
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1 ALL PAYMENTS NOT COLLECTED BY INCOME WITHHOLDING SHALL BE MADE
2 BY MONEY ORDER OR CASHIER'S CHECK. ALL SUCH PAYMENTS SHALL
3 CONTAIN Case No. 940253 (DANIEL LEROY THURMOND). ALL SUCH
4 PAYMENTS SHALL BE PAYABLE, AND MUST BE DELIVERED BY THE
5 RESPONDENT/OBLIGOR TO:

6 DOUGLAS COUNTY CLERK

7 MINDEN INN

8 P.O. BOX 218

9 MINDEN, NV 89423

10 4. () The Respondent/Obligor is not required to provide
11 health insurance coverage at this time because the Petitioner/
12 Obligee has not requested ___/has specifically waived ___ medical
13 enforcement services in this case.

14 5. (✓) The Respondent/Obligor shall provide health
15 insurance coverage for the child(ren) when available through
16 Respondent/Obligor's employer or other group policy; and
17 Respondent/Obligor shall provide all reasonable and necessary
18 assistance to enable the Petitioner/Obligee to obtain the
19 medical benefits offered by the policy of insurance.

20 6. (✓) Pursuant to NRS 125B.080.7, expenses for health
21 care which are not reimbursed through insurance, including
22 expenses for medical, surgical, dental, orthodontic and optical
23 expenses, must be borne equally by both parents in the absence
24 of extraordinary circumstances.

25 7. (✓) The Respondent/Obligor shall notify the Douglas
26 County District Attorney's Office, Child Support Division, at
27 782-9881, of any change of address, employment or change in the
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1 availability of health insurance coverage within ten (10) days
2 of such change.

3 8. () THIS IS AN INCOME WITHHOLDING ORDER. A mandatory
4 wage withholding shall be initiated against the
5 Respondent/Obligor's wages or commissions. This does not
6 preclude the use of other means to collect any arrears or
7 enforce this order, including garnishment, liens, attachments,
8 execution on real or personal property or interception of
9 Federal Income tax refunds.

10 9. () GOOD CAUSE BEING FOUND BY THE COURT: _____
11 _____

12 said wage withholding shall be postponed until such time as the
13 Respondent/Obligor becomes (30) days delinquent in payment. NO
14 CREDIT WILL BE GIVEN FOR PAYMENTS NOT MADE BY WAGE/INCOME
15 WITHHOLDING OR DIRECTLY THROUGH THE OFFICE OF THE DISTRICT
16 ATTORNEY OR OTHER CHILD SUPPORT ENFORCEMENT AGENCY.

17 10. () Pursuant to NRS 125B.145, this order must be
18 reviewed every three years, upon the request of either party,
19 and is subject to modification or review and adjustment as
20 provided by law.

21 11. () Unless a stay of this Order is obtained from the
22 District Court, all enforcement procedures, including but not
23 limited to wage withholding, garnishments, liens and the
24 interception of Federal Income tax refunds, will be undertaken
25 upon entry of this Order.

26 12. () Interest upon the amount of the judgment for
27 arrears shall accrue at the rate set by NRS 99.040.

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1 (/) Prejudgment interest is awarded from _____
2 through _____ at the rate set by NRS 99.040 and based on the
3 Affidavit of Arrears presented in these proceedings.

4 (✓) Interest is not ordered based on undue hardship on
5 the Respondent/Obligor.

6 (✓) No attorney's fees are awarded as they have not
7 been requested at this time.

8
9 IT IS FURTHER RECOMMENDED THAT:

10 _____
11 _____
12 _____

13
14 IT IS SO RECOMMENDED.

15
16 Dated this April 20, 1995.

Jessy J. Millward
17 _____
18 MASTER

19 NOTICE

20 Objections/appeals to this recommendation are governed in
21 part by NRS 425.3844. You have ten (10) days from receipt of
22 this recommendation to file an appeal.

23 This recommendation is governed by the "Review and
24 Adjustment" guidelines of Federal Regulations. You have thirty
25 (30) days from receipt of this recommendation to file an appeal.

26 **FAILURE TO FILE AN APPEAL AND SERVE WRITTEN OBJECTIONS TO**
27 **THIS RECOMMENDATION WITHIN THE APPROPRIATE TIME LIMITS WILL**
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1 RESULT IN A FINAL JUDGMENT ORDERED BY THE DISTRICT COURT AGAINST
2 YOU.

3
4 I acknowledge that I have received a copy of the Master's
5 recommendations. Date: Apr 20, 95 Signature: D.F. Thurmend

6
7 [Signature] (✓) I hereby waive the ten (10) day period set by NRS
8 425.3844 for objections to the Master's Recommendations.

9 [Signature] (✓) I hereby waive the thirty (30) day period for
10 objections to the Master's Recommendations set by applicable
11 federal regulations involving the "Review and Adjustment"
12 guidelines.

13 ORDER

14
15 THE COURT HAVING REVIEWED THE PLEADINGS AND PAPERS ON FILE
16 AND THE MASTER'S RECOMMENDATIONS, AND NO TIMELY OBJECTIONS
17 HAVING BEEN FILED,

18 IT IS HEREBY ORDERED: that the Master's Recommendations be
19 and hereby are affirmed and adopted by the Court and Judgment is
20 entered accordingly.

21
22 [Signature]

23 DATED: April 21, 1995

24 DISTRICT COURT JUDGE

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