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Case No. 25318

NO. \_\_\_\_\_

NOV 08 1995

Dept. I

'95 NOV -8 P4:56

DOUGLAS COUNTY CLERK

H. CHAPPELL

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF DOUGLAS

STEPHANIE A. GILBERTSON,

Petitioner/Obligee,

vs.

MARK K. LYTLE,

Respondent/Obligor,

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

ORDER AND JUDGMENT

THIS MATTER having regularly come for hearing before  
the Master on the 5 day of October, 1995; the  
Petitioner/Obligee being ( ) present  not present; and the  
Respondent/Obligor being duly served and  present ( ) not  
present, and represented by himself; and Shannon Dean  
of the Douglas County District Attorney's Office appearing and  
representing the State of Nevada's interest in the support and  
welfare of the child(ren) pursuant to law. After hearing all of  
the evidence and being fully advised in the premises, the Master  
makes the following findings and recommendations:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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

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2. ( J ) The Respondent/Obligor is the parent of the following child:

ASHLYN M, LYTLE Born: 10/31/88

3. ( J ) 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 \$ 1137.32 from prior order through 9.30, 1995.

5. ( ) The Respondent/Obligor's Gross Monthly Income is \$ 1351 and 18 % of that amount is \$ 243.

6. ( ✓ ) The Respondent/Obligor's child support obligation pursuant to NRS 125B.070, NRS 125B.080, or Existing Order is \$ 306 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: NO DEVIATION OR ADJUSTMENTS

8. ( ✓ ) This modifies the previously filed or registered Order in Case No. 25318, entered on the 27 day of August, 1992, in the State of Nevada, County of Douglas, Court, Ninth Judicial District Ct

IT IS FURTHER FOUND THAT: \_\_\_\_\_

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IT IS HEREBY RECOMMENDED THAT:

1  
2 1. (✓) A judgment of support arrears is entered in favor  
3 of the Petitioner/Obligee and against the Respondent/Obligor in  
4 the amount of \$ 1139.32 from prior order through 9.30,  
5 1995, and the Respondent/Obligor is to pay \$ 25 per month  
6 beginning NOV 1, 1995 and also continuing each  
7 and every month thereafter until paid in full.

8 2. (✓) The Respondent/Obligor shall pay \$ 243 per  
9 month as and for ongoing child support, beginning 10.1,  
10 1995.

11 3. (✓) The Respondent/Obligor shall pay a total of  
12 \$ 268 per month as follows:

13 CHILD SUPPORT:	<u>243</u>	Commencing	<u>10.1.95</u>
14 ARREARS:	<u>25</u>	Commencing	<u>11.1.95</u>
15 SPOUSAL SUPPORT:	_____	Commencing	_____
16 OTHER:	_____	Commencing	_____
17 OTHER RECOMMENDATIONS REGARDING PAYMENT:	_____		
18	_____		
19	_____		

20 ALL PAYMENTS NOT COLLECTED BY INCOME WITHHOLDING SHALL BE MADE  
21 BY MONEY ORDER OR CASHIER'S CHECK. ALL SUCH PAYMENTS SHALL  
22 CONTAIN Case No. 910064 (MARK K. LYTLE). ALL SUCH PAYMENTS  
23 SHALL BE PAYABLE, AND MUST BE DELIVERED BY THE  
24 RESPONDENT/OBLIGOR TO:

25 DOUGLAS COUNTY CLERK  
26 MINDEN INN  
27 P.O. BOX 218  
28 MINDEN, NV 89423

4. (✓) The Respondent/Obligor is not required to provide  
health insurance coverage at this time because the Petitioner/

1 Obligee has not requested ~~X~~/has specifically waived \_\_\_ medical  
2 enforcement services in this case.

3 5. ( ) The Respondent/Obligor shall provide health  
4 insurance coverage for the child(ren) when available through  
5 Respondent/Obligor's employer or other group policy; and  
6 Respondent/Obligor shall provide all reasonable and necessary  
7 assistance to enable the Petitioner/Obligee to obtain the  
8 medical benefits offered by the policy of insurance.

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

14 7. (✓) The Respondent/Obligor shall notify the Douglas  
15 County District Attorney's Office, Child Support Division, at  
16 782-9881, of any change of address, employment or change in the  
17 availability of health insurance coverage within ten (10) days  
18 of such change.

19 8. (✓) **THIS IS AN INCOME WITHHOLDING ORDER.** A mandatory  
20 wage withholding shall be initiated against the  
21 Respondent/Obligor's wages or commissions. This does not  
22 preclude the use of other means to collect any arrears or  
23 enforce this order, including garnishment, liens, attachments,  
24 execution on real or personal property or interception of  
25 Federal Income tax refunds.

26 9. ( ) **GOOD CAUSE BEING FOUND BY THE COURT:** \_\_\_\_\_  
27 \_\_\_\_\_

28 said wage withholding shall be postponed until such time as the

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1 Respondent/Obligor becomes (30) days delinquent in payment. NO  
2 CREDIT WILL BE GIVEN FOR PAYMENTS NOT MADE BY WAGE/INCOME  
3 WITHHOLDING OR DIRECTLY THROUGH THE OFFICE OF THE DISTRICT  
4 ATTORNEY OR OTHER CHILD SUPPORT ENFORCEMENT AGENCY.

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

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

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

16 13. (  ) Prejudgment interest is awarded from \_\_\_\_\_  
17 through \_\_\_\_\_ at the rate set by NRS 99.040 and based on the  
18 Affidavit of Arrears presented in these proceedings.

19 14. (  ) Interest is not ordered based on undue hardship  
20 on the Respondent/Obligor.

21 15. (  ) No attorney's fees are awarded as they have not  
22 been requested at this time.

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IT IS FURTHER RECOMMENDED THAT:

IT IS SO RECOMMENDED.

Dated this 0-5, 1995.

Jerry J. McQuinn  
MASTER

NOTICE

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

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

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

I acknowledge that I have received a copy of the Master's recommendations. Date: 0-5-95 Signature: [Signature]

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

\_\_\_\_\_ (  ) I hereby waive the thirty (30) day period for objections to the Master's Recommendations set by applicable

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1 federal regulations involving the "Review and Adjustment"  
2 guidelines.

3  
4 ORDER

5 THE COURT HAVING REVIEWED THE PLEADINGS AND PAPERS ON FILE  
6 AND THE MASTER'S RECOMMENDATIONS, AND NO TIMELY OBJECTIONS  
7 HAVING BEEN FILED,

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

11  
12  
13 DATED: November 8, 1995

David R. Gamble

DISTRICT COURT JUDGE

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23 **CERTIFIED COPY**

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

**SEAL**

24 DATE: 11/14/95  
25 B Reed Clerk of the 9th Judicial District Court  
26 of the State of Nevada, In and for the County of Douglas,

27 By jthaler Deputy

28  
REQUESTED BY  
**DOUGLAS COUNTY**  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

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LINDA SLATER  
RECORDER

\$ 0 PAID 0 DEPUTY

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