

NF/DA

1 Case No. 96-PA-0042

FILED

2 Dept. II

NO _____

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'97 MAY 21 8:26

4

BARBARA REED

CLERK

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6 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

D. DALEY

7

IN AND FOR THE COUNTY OF DOUGLAS

8

ROXANNE COREY,

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

9

Petitioner/Obligee,

10

vs.

11

JAMES DONALD BENNETT,

12

Respondent/Obligor,

RECEIVED
MAY 21 1997
DOUGLAS COUNTY
DISTRICT ATTORNEY

ORDER AND JUDGMENT

13

THIS MATTER having regularly come for hearing before
15 the Master on the 25 day of April, 1997; the
16 Petitioner/Obligee being () present () not present; and the
17 Respondent/Obligor being duly served and () present () not
18 present, and represented by PRO SE; and SHANNON OIGEN
19 of the Douglas County District Attorney's Office appearing and
20 representing the State of Nevada's interest in the support and
21 welfare of the child(ren) pursuant to law. After hearing all of
22 the evidence and being fully advised in the premises, the Master
23 makes the following findings and recommendations:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

24

25 1. () The Court has jurisdiction of the parties and of
26 the subject matter of this case.

27

28 2. () The Respondent/Obligor is the parent of the
following child: ZACHARY M. COREY Born: 09/23/92 0416740

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1 3. (✓) The Respondent/Obligor has a duty to support the
2 above-named children;

3 4. (✓) The Respondent/Obligor owes support arrears to
4 the Petitioner/Obligee in the amount of \$ 1807- from
5 Oct 96 through April, 1997

6 5. (✓) The Respondent/Obligor's Gross Monthly Income is
7 \$ 2000- and 18% of that amount is \$ 468-.

8 6. (✓) The Respondent/Obligor's child support obligation
9 pursuant to NRS 125B.070, NRS 125B.080, or Existing Order is
10 \$ 75- per month;

11 7. (✓) The amount of the child support obligation
12 determined by the Master deviates from the NRS 125B.070
13 percentage formula on the following grounds: The Δ
14 supports 3 other children

15
16 IT IS FURTHER FOUND THAT: \$ 257- OF THE
17 Arrears are for the cost of genetic
18 testing. Δ was first aware that he had
19 this child in Oct. 1996. Δ^s medical insurance
20 will not cover the child in Virginia
IT IS HEREBY RECOMMENDED THAT:

21 1. (✓) A judgment of support arrears is entered in favor
22 of the Petitioner/Obligee and against the Respondent/Obligor in
23 the amount of \$ 1807- from Oct 1996 through April,
24 1997, and the Respondent/Obligor is to pay \$ 70- per month
25 beginning May, 1997 and also continuing each
26 and every month thereafter until paid in full.

1 2. () The Respondent/Obligor shall pay \$ 225- per
2 month as and for ongoing child support, beginning May,
3 1997.

4 3. () The Respondent/Obligor shall pay a total of
5 \$ 245- per month as follows:

6 CHILD SUPPORT: 225- Commencing 5/97
7 ARREARS: 20- Commencing 5/97
8 OTHER: _____ Commencing _____

9 OTHER RECOMMENDATIONS REGARDING PAYMENT: _____
10 _____
11 _____

12 ALL PAYMENTS NOT COLLECTED BY INCOME WITHHOLDING SHALL BE MADE
13 BY MONEY ORDER OR CASHIER'S CHECK. ALL SUCH PAYMENTS SHALL
14 CONTAIN Case No. 960288 (JAMES DONALD BENNETT). ALL SUCH
15 PAYMENTS SHALL BE PAYABLE, AND MUST BE DELIVERED BY THE
16 RESPONDENT/OBLIGOR TO:

17 DOUGLAS COUNTY CLERK
18 MINDEN INN
19 P.O. BOX 218
MINDEN, NV 89423

20 4. () The Respondent/Obligor is not required to provide
21 health insurance coverage at this time because the Petitioner/
22 Obligee has not requested ___/has specifically waived ___ medical
23 enforcement services in this case, *it would not cover the*
child in Virginia

24 5. () The Respondent/Obligor shall provide health
25 insurance coverage for the child(ren) when available through
26 Respondent/Obligor's employer or other group policy; and
27 Respondent/Obligor shall provide all reasonable and necessary
28 assistance to enable the Petitioner/Obligee to obtain the
medical benefits offered by the policy of insurance. 0416740

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

6 7. (✓) The Respondent/Obligor shall notify the Douglas
7 County District Attorney's Office, Child Support Division, at
8 782-9881, of any change of address, employment or change in the
9 availability of health insurance coverage within ten (10) days
10 of such change.

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

18 9. (✓) GOOD CAUSE BEING FOUND BY THE COURT: This is
19 an original order payments will be made by a
20 financial consulting agency of the D.
21 said wage withholding shall be postponed until such time as the
22 Respondent/Obligor becomes (30) days delinquent in payment. NO
23 CREDIT WILL BE GIVEN FOR PAYMENTS NOT MADE BY WAGE/INCOME
24 WITHHOLDING OR DIRECTLY THROUGH THE OFFICE OF THE DISTRICT
25 ATTORNEY OR OTHER CHILD SUPPORT ENFORCEMENT AGENCY.

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

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

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

8 13. () Prejudgment interest is awarded from _____
9 through _____ at the rate set by NRS 99.040 and based on the
10 Affidavit of Arrears presented in these proceedings.

11 14. (✓) Interest is not ordered based on undue hardship
12 on the Respondent/Obligor.

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

15 16. (✓) That the child's birth certificate shall be
16 amended in accordance with NRS 126.161 to show that JAMES
17 DONALD BENNETT is the father of ZACHARY M. COREY, born
18 September 23, 1992.

19 17. (✓) That custody of the minor child shall remain with
20 the mother, ROXANNE COREY. This provision is made under
21 authority of NRS 126.161 (5), and is made for the protection of
22 the minor child. The parties' understand that the Douglas
23 County District Attorney's Office does not have authority to
24 litigate matters regarding custody and visitation.

25 IT IS FURTHER RECOMMENDED THAT:
26
27
28

IT IS SO RECOMMENDED.

Dated this April 25, 1997.

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.

If 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: 4/25/97 Signature: [Signature]

ORDER

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

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

DATED: 5/20/97

[Signature]
DISTRICT COURT JUDGE

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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

DATE: 5/21/97
Reed Clerk of the 5th Judicial District Court
of the State of Nevada, in and for the County of Douglas,

By D. Daley Deputy

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

'97 JUL -9 18:23

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LINDA SLATER
RECORDER
\$ 0 PAID Ke DEPUTY

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