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1 Case No. 97-PA-0007

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3 SEP 19 1997

4 DOUGLAS COUNTY
DISTRICT COURT CLERK

BARBARA REED
CLERK
J. THALER DEPUTY

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

8 SHERRY LYNNE WELTY,

9 Petitioner/Obligee,

10 vs.

11 JEFFREY SAMUEL KIRKELIE, JR.,

12 Respondent/Obligor,
_____ /

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

13 ORDER AND JUDGMENT

14 THIS MATTER having regularly come for hearing before
15 the Master on the 9th day of SEPTEMBER, 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 Failed to Appear; and SITAMPON CHEN
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:

24 FINDINGS OF FACT AND CONCLUSIONS OF LAW

- 25 1. () The Court has jurisdiction of the parties and of
26 the subject matter of this case.
27 2. () The Respondent/Obligor is the parent of the
28 following child: KAYLA TERESA WELTY Born: 04/26/94.

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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 \$ 3500- from
5 March 1997 through August, 1997

6 5. () The Respondent/Obligor's Gross Monthly Income is
7 \$ UNK and 18 % of that amount is \$ 500-.

8 6. () The Respondent/Obligor's child support obligation
9 pursuant to NRS 125B.070, NRS 125B.080, or Existing Order is
10 \$ 500- 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: _____
14 _____
15 _____

16 IT IS FURTHER FOUND THAT: Δ has failed to
17 co-operate in providing financial information
18 to the Court NRS 425.390 Δ is capable
19 of paying \$500 per month, Δ has
20 Admitted PATERNITY
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 \$ 3500- from March 97 through August,
24 1997, and the Respondent/Obligor is to pay \$ 100- per month
25 beginning Sept, 1997 and also continuing each
26 and every month thereafter until paid in full.

27 2. () The Respondent/Obligor shall pay \$ 500- per
28 month as and for ongoing child support, beginning Sept 1997

1 3. (✓) The Respondent/Obligor shall pay a total of
2 \$ 600 per month as follows:
3 CHILD SUPPORT: 500- Commencing 9/97
4 ARREARS: 100- Commencing 9/97
5 OTHER: _____ Commencing _____
6 OTHER RECOMMENDATIONS REGARDING PAYMENT: _____
7 _____
8 _____

9 ALL PAYMENTS NOT COLLECTED BY INCOME WITHHOLDING SHALL BE MADE
10 BY MONEY ORDER OR CASHIER'S CHECK. ALL SUCH PAYMENTS SHALL
11 CONTAIN Case No. 970023 (JEFFREY SAMUEL KIRKELIE). ALL SUCH
12 PAYMENTS SHALL BE PAYABLE, AND MUST BE DELIVERED BY THE
13 RESPONDENT/OBLIGOR TO:

14 DOUGLAS COUNTY CLERK
15 MINDEN INN
16 P.O. BOX 218
17 MINDEN, NV 89423

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

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

28 6. (✓) Pursuant to NRS 125B.080.7, expenses for health
care which are not reimbursed through insurance, including
expenses for medical, surgical, dental, orthodontic and optical

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1 expenses, must be borne equally by both parents in the absence
2 of extraordinary circumstances.

3 7. (✓) The Respondent/Obligor shall notify the Douglas
4 County District Attorney's Office, Child Support Division, at
5 782-9881, of any change of address, employment or change in the
6 availability of health insurance coverage within ten (10) days
7 of such change.

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

15 9. () GOOD CAUSE BEING FOUND BY THE COURT: _____
16

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

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

26 11. (✓) Unless a stay of this Order is obtained from the
27 District Court, all enforcement procedures, including but not
28 limited to wage withholding, garnishments, liens and the

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1 interception of Federal Income tax refunds, will be undertaken
2 upon entry of this Order.

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

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

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

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

12 16. () That the child's birth certificate shall be
13 amended in accordance with NRS 126.161 to show that JEFFREY
14 SAMUEL KIRKELIE JR. is the father of KAYLA TERESA WELTY
15 Born: 04/26/94.

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

22 IT IS FURTHER RECOMMENDED THAT:

23 The minor child's birth certificate be
24 amended to show Δ as father of
25 the child.

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IT IS SO RECOMMENDED.

Dated this Sept 5, 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: _____ 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: _____

9/19/97

David R. Granville

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.

DATE: 9/22/97
Bled Clerk of the 5th dist. of the State of Nevada, in and for the County of Douglas,
By J Thaler Deputy

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

'97 OCT -1 A8:39

LINDA SLATER
RECORDER

\$ 0 PAID 2 DEPUTY

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