

1 Case No. 97-PA-0007

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

2 Dept. I

SEP 19 1997

'97 SEP 22 P2:40

DISTRICT COURT CLERK

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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  
14 ORDER AND JUDGMENT

15 THIS MATTER having regularly come for hearing before  
16 the Master on the 9<sup>th</sup> day of SEPTEMBER, 1997; the  
17 Petitioner/Obligee being () present ( ) not present; and the  
18 Respondent/Obligor being duly served and ( ) present () not  
19 present, and represented by Failed to Appear; and SITARON OIEN  
20 of the Douglas County District Attorney's Office appearing and  
21 representing the State of Nevada's interest in the support and  
22 welfare of the child(ren) pursuant to law. After hearing all of  
23 the evidence and being fully advised in the premises, the Master  
24 makes the following findings and recommendations:

25 FINDINGS OF FACT AND CONCLUSIONS OF LAW

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

When Recorded mail to  
Sherry Welty  
1192 Manhattan  
Gardnerville, NV 89410

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 \$ 42K 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  
21 **IT IS HEREBY RECOMMENDED THAT:**

22 1. (  ) A judgment of support arrears is entered in favor  
23 of the Petitioner/Obligee and against the Respondent/Obligor in  
24 the amount of \$ 3500- from March 1997 through August,  
25 1997, and the Respondent/Obligor is to pay \$ 100- per month  
26 beginning Sept, 1997 and also continuing each  
27 and every month thereafter until paid in full.

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

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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

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.

26  
27  
28

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 ~~YSGO UNRITHBO~~ and hereby are affirmed and adopted by the Court and Judgment is entered accordingly.

DATED: \_\_\_\_\_

9/19/97

[Signature]  
DISTRICT COURT JUDGE

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COPY

**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: Oct 16 1997 **SEAL**

Bread Clerk of the 9th Judicial District Court of the State of Nevada, In and for the County of Douglas,

By D. J. Wiley Deputy

REQUESTED BY  
Sherry Welty  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

'97 OCT 16 P3:30

LINDA SLATER  
RECORDER

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\$ 13.00 PAID OK DEPUTY

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