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OFFICIAL RECORD

Requested By:  
D C/DISTRICT ATTORNEY

1 Case No. 04-UR-0072

2 Dept. 1

Douglas County - NV  
Werner Christen - Recorder

Page: 1 of 9 Fee: 0.00  
BK-1005 PG- 5274 RPTT: 0.00



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

8 VANESSA JEAN BURGESON,

9 Plaintiff,

10 vs.

AFFIDAVIT OF RECORDATION

11 DUSTIN CLARK SOMERS,

12 Defendant.

13 \_\_\_\_\_  
14 STATE OF NEVADA }  
15 COUNTY OF DOUGLAS } ss.

16 I, Lynda Caldwell, hereby swear and affirm under penalty of perjury that the  
17 following assertions are true:

- 18 1. That affiant is, and at all times mentioned herein was, a citizen of the State of
- 19 Nevada, over the age of twenty-one years, and an employee of the Douglas County
- 20 District Attorney's Office managing Case Number 552896482A.
- 21 2. That this affidavit and judgment is being filed pursuant to NRS 125B.142 and NRS
- 22 17.150, and when so recorded shall become a lien upon all the real property of the
- 23 responsible parent.
- 24 3. That the responsible parent's name is DUSTIN CLARK SOMERS, whose mailing
- 25 address is 605 Keogh Street, Bishop, California 93514.
- 26 4. That the responsible parent's driver's license number is unknown.
- 27 5. That the responsible parent's social security number is 552-89-6482.
- 28 6. That the responsible parent's date of birth is February 4, 1981.

1 7. That attached hereto is a certified copy of the Order and Judgment filed October 10,  
2 2005.

3  
4 Lynda Caldwell  
Lynda Caldwell

5  
6 SUBSCRIBED and SWORN to before me  
7 this 1st day of August, 2005.

8 Connie Wenner  
9 NOTARY PUBLIC



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1 Case No. 04-UR-0072  
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OCT 05 2005  
DOUGLAS COUNTY  
DISTRICT COURT CLERK

BARBARA REED  
CLERK

BY K. WILFERT DEPUTY

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

8 VANESSA JEAN BURGESON,  
9 Plaintiff,

10 vs.

11 DUSTIN CLARK SOMERS,  
12 Defendant.

13  
14 **ORDER AND JUDGMENT CONFIRMING MASTER'S FINDINGS AND**  
15 **RECOMMENDATIONS FOR SUPPORT**

16 THIS MATTER having regularly come for hearing before the Master on the 9TH day  
17 of September, 2005; the Plaintiff being (✓) present ( ) not present; and the Defendant  
18 being duly served and (✓) <sup>telephonically</sup> present ( ) not present, and represented by for se  
19 and Evan Beavers Esq. of the Douglas County District Attorney's Office  
20 appearing and representing the State of Nevada's interest in the support and welfare of the  
21 child(ren) pursuant to law. After hearing all of the evidence and being fully advised in the  
22 premises, the Master makes the following findings and recommendations:

23 **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

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

26 2. (✓) The Defendant is the parent of:

27 RANNIN WALTER ALDON BURGESON-SOMERS;  
28 born: October 30, 2003.



1 3. (✓) The Defendant has a duty to support the above-named child/ren.

2 4. (✓) The Defendant owes support arrears to the Plaintiff in the amount of  
3 \$1,800<sup>00</sup> from 9-1-04 through 8-31-05.

4 5. (✓) The Defendant's Gross Monthly Income is \$ \_\_\_\_\_ and  
5 \_\_\_\_\_ % of that amount is \$2,946<sup>62</sup>.

6 6. (✓) The Defendant's child support obligation pursuant to NRS 125B.070,  
7 NRS 125B.080, or Existing Order is \$300<sup>00</sup>.

8 7. (✓) The amount of the child support obligation determined by the Master  
9 deviates from the NRS 125B.070 percentage formula on the following grounds *Obligor*

10 *has one other child to support and shall be required*  
11 *to pay 1/2 cost of insurance to be obtained by Obligor*  
12 *for another child*

13 8. ( ) This modifies the previously filed or registered Order in Case No.  
14 \_\_\_\_\_, entered on the \_\_\_\_\_ day of \_\_\_\_\_, in the State  
15 of \_\_\_\_\_, County of \_\_\_\_\_, Court \_\_\_\_\_.

16 IT IS FURTHER FOUND THAT: \_\_\_\_\_  
17 \_\_\_\_\_  
18 \_\_\_\_\_

19 **IT IS HEREBY RECOMMENDED THAT:**

20 1a. (✓) A judgment of child support arrears is entered in favor of the Plaintiff and  
21 against the Defendant in the amount of \$1,800<sup>00</sup>, from 9-1-04 through  
22 8-31-05, and the Defendant is to pay \$30<sup>00</sup> per month beginning  
23 9-1, 2005, and continuing each and every month thereafter until paid in full.

24 1b. ( ) A judgment of health insurance arrears is entered in favor of the Plaintiff  
25 and against the Defendant in the amount of \$ \_\_\_\_\_, from \_\_\_\_\_ through  
26 \_\_\_\_\_, and the Defendant is to pay \$ \_\_\_\_\_ per month beginning  
27 \_\_\_\_\_, 2005, and continuing each and every month thereafter until paid in full.

28 1c. ( ) A judgment of spousal support arrears is entered in favor of the Plaintiff and

1 against the Defendant in the amount of \$ \_\_\_\_\_, from \_\_\_\_\_ through  
2 \_\_\_\_\_, and the Defendant is to pay \$ \_\_\_\_\_ per month beginning  
3 \_\_\_\_\_, 2005, and continuing each and every month thereafter until paid in full.

4 2. (✓) The Defendant shall pay \$ 300<sup>00</sup> per month as and for ongoing  
5 child support, beginning 9-1, 2005.

6 3. (✓) The Defendant shall pay a total of \$ 300<sup>00</sup> \* per month as  
7 follows:

8 CHILD SUPPORT: 300<sup>00</sup> Commencing: 9-1-05

9 ARREARS: \_\_\_\_\_ Commencing: \_\_\_\_\_

10 HEALTH INSURANCE: \* Commencing: \*

11 ARREARS: \_\_\_\_\_ Commencing: \_\_\_\_\_

12 SPOUSAL SUPPORT: \_\_\_\_\_ Commencing: \_\_\_\_\_

13 ARREARS: \_\_\_\_\_ Commencing: \_\_\_\_\_

14 OTHER: \_\_\_\_\_ Commencing: \_\_\_\_\_

15 *\* 1/2 cost of medical insurance when obtained by Obligor*  
**INTEREST/PENALTIES:** Interest will be assessed on all unpaid child support balances  
16 for cases with a Nevada controlling order pursuant to NRS 99.040. A 10% penalty may be  
17 assessed on each unpaid installment, or portion thereof, of an obligation to pay support for  
18 a child, pursuant to NRS 125B.095. If you pay your child support through income  
19 withholding and your full obligation is not met by the amount withheld by your employer,  
20 you are responsible to pay the difference between your court ordered obligation and the  
21 amount withheld by your employer directly to the state disbursement unit. If you fail to do  
22 so you will be subject to the assessment of penalties and interest. You may avoid these  
23 additional costs by making your current child support payments each month.

24 **OTHER RECOMMENDATIONS REGARDING PAYMENT:** In the event the payments  
25 are not made in full by wage withholding or Defendant becomes unemployed or  
26 underemployed, all child support payments must be made in the form of a cashier's  
27 check, certified check, money order, or in cash. If the payment is in the form of  
28 cash, it must be delivered to the Douglas County Clerk at her office in the Old

1 Minden Inn located at 1594 Esmeralda Avenue, Suite 105, Minden, Nevada. If the  
2 payment is in the form of a cashier's check, certified check, or money order, it must  
3 be made payable to the **STATE COLLECTIONS AND DISBURSEMENT UNIT**  
4 **(SCaDU)**, with the notation **Case No.552896482A**, and it must be mailed to the  
5 STATE COLLECTIONS AND DISBURSEMENT UNIT (SCaDU), P.O. BOX 98950,  
6 LAS VEGAS, NV 89193-8950.

7 4.  The Defendant is not required to provide health insurance coverage at  
8 this time because the Plaintiff has not requested \_\_\_\_\_/has specifically waived   
9 medical enforcement services in this case, *so long as Obligor pays 1/2 cost*  
10 *of insurance she obtains*

11 5.  The Defendant shall provide health insurance coverage for the child/ren  
12 when available through Defendant's employer or other group policy; and Defendant shall  
13 provide all reasonable and necessary assistance to enable the Plaintiff to obtain the  
14 medical benefits offered by the policy of insurance.

15 6.  Pursuant to NRS 125B.080.7 expenses for health care which are not  
16 reimbursed through insurance, including expenses for medical, surgical, dental, orthodontic  
17 and optical expenses, must be borne equally by both parents in the absence of  
18 extraordinary circumstances.

19 7.  The Defendant shall notify the Douglas County District Attorney's Office,  
20 Child Support Division, at 775-782-9881, of any changes of address, employment or  
21 change in the availability of health insurance coverage within ten (10) days of such change.

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

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

28 said wage withholding shall be postponed until such time as the Defendant becomes (30)

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

4 10. (  ) Pursuant to NRS 125B.145, this order must be reviewed every three (3)  
5 years, upon the request of either party, and is subject to modification or review and  
6 adjustment as provided by law.

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

11 12. (  ) Interest prior to \_\_\_\_\_ is not ordered based on undue  
12 hardship on the Defendant.

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

15 14. (  ) Pursuant to NRS 125B.100, when Defendant's minor child/ren  
16 emancipate Defendant shall continue to pay \$ \_\_\_\_\_ per month towards the  
17 satisfaction of the existing child support arrearages.

18 15. (  ) Pursuant to NRS 125.510, Defendant's ongoing child support shall  
19 continue until the minor child/ren reach the age of 18 years, if he or she is no longer  
20 enrolled in high school, otherwise, when he or she reaches the age of 19 years.

21 16. (  ) In accordance with 125B.055, Plaintiff and Defendant shall file with  
22 the Court and with the District Attorney's Office their Social Security Number, residential  
23 and mailing addresses, telephone number, driver's license number, and the name, address  
24 and telephone number of their employer.

25 **IT IS FURTHER RECOMMENDED THAT:**

26 \_\_\_\_\_  
27 \_\_\_\_\_  
28 \_\_\_\_\_

**IT IS SO RECOMMENDED.**

1  
2  
3 Dated this 9<sup>th</sup> September, 2005.

  
MASTER

4 **NOTICE**

5 Objections to this recommendation are governed in part by NRS 425.3844. You  
6 have **ten (10)** days from receipt of this recommendation to file an objection.

7 If this recommendation is governed by the "Review and Adjustment" guidelines of  
8 Federal Regulations, you have **thirty (30)** days from receipt of the recommendation to file  
9 an objection.

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

13 I acknowledge that I have received a copy of the Master's Recommendations.

14  
15 Dated this \_\_\_\_\_, 2005.

16  
17 **ORDER**

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

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

23  
24 Dated: 10/10, 2005.

  
DISTRICT COURT JUDGE

25  
26 **ORDER**

27 THE COURT HAVING CONSIDERED THE PLEADINGS AND PAPERS ON FILE  
28 HEREIN, THE MASTER'S RECOMMENDATIONS, THE OBJECTION AND RESPONSE



1 TO THE MASTER'S RECOMMENDATIONS, AND GOOD CAUSE APPEARING  
2 THEREFORE,

3 **IT IS HEREBY ORDERED** that the Master's Recommendations be and hereby  
4 are affirmed and adopted as an order of this Court and Judgment is entered  
5 accordingly.

6 Dated: \_\_\_\_\_, 2005.

\_\_\_\_\_  
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: October 10, 2005  
B. Reed Clerk of the Judicial District Court  
of the State of Nevada, In and for the County of Douglas,  
By Kristin M. Defert Deputy

