

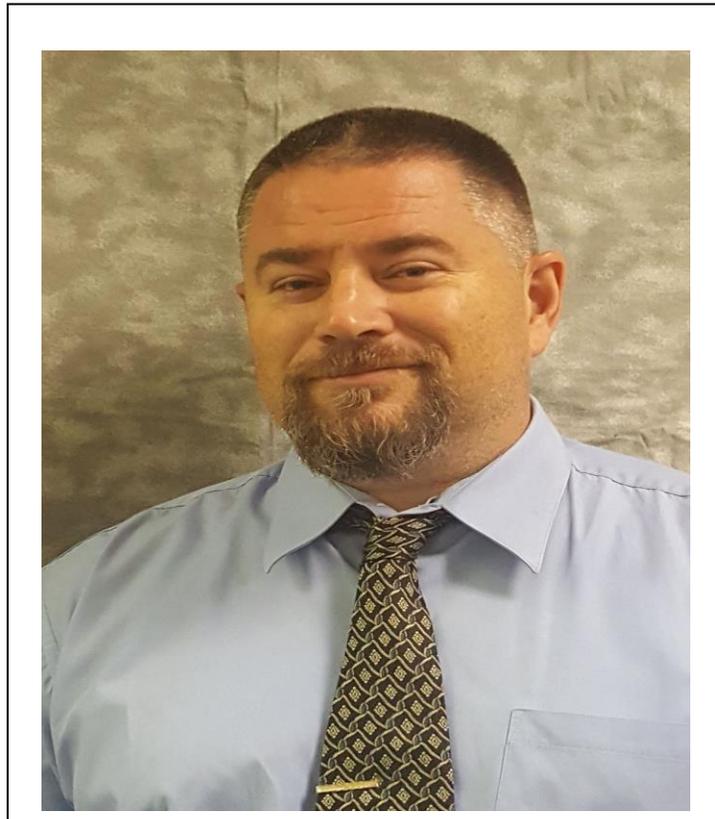
COMMISSION ON JUDICIAL SELECTION APPLICATION

EIGHTH JUDICIAL DISTRICT
DEPARTMENT O

Replace the highlighted spaces on this page with the vacancy you seek to fill
VII, XXIX, C or N
Candidates may only choose one department.

By

Robert E. Hill



Personal Information

1.	Full Name	Robert E. Hill
2.	Have you ever used or been known by any other legal name (including a maiden name)? If so, state name and reason for the name change and years used.	No
3.	How long have you been a continuous resident of Nevada?	17 years
4.	City and county of residence	Las Vegas, Clark County
5.	Age	52

Employment History

6. Please start with your current employment or most recent employment, self-employment, and periods of unemployment for the last 20 years preceding the filing of this Application.

Current or Last Employer	The Hill Law Group
Phone	702-852-1552
Physical Address & Website	7341 W. Charleston Blvd. Suite 160
Date(s) of Employment	2011 to present
Supervisor's Name and Title	Self
Your Title	Owner
Describe Your Key Duties	I handle cases mainly in the area of Family Law ranging from intake to trials. I draft all pleadings, file pleadings, prepare cases for trials and hearings, and argue/attend motions hearings.
Reason for Leaving	

Previous Employer	The Smith Legal Group
Phone	
Address & Website	
Date(s) of Employment	12/2010 to 5/2011

Supervisor's Name and Title	Kurt Smith
Your Title	Associate
Describe Your Key Duties	I handled a case load of 20 to 40 cases, attending court hearings on all matters. Most of the cases were Family Law cases. The types of hearings ranged from status checks to trials.
Reason for Leaving	Decrease in work.

Previous Employer	The Law Office of Barry Levinson
Phone	n/a
Address & Website	n/a
Date(s) of Employment	5/2006 to 6/2010
Supervisor's Name and Title	Barry Levinson
Your Title	Associate
Describe Your Key Duties	<p>I handled a caseload of approximately 70 cases. The types of cases I handled include, but were not limited to: general civil litigation, real estate, contracts, personal injury, employment, corporations, and criminal defense. I met with and conducted initial intakes with clients. I have worked on contracts ranging from leases to entertainment agreements.</p> <p>Due to the large caseload, I was frequently in court for motions hearings, pleas, pretrial conferences, trials, evictions, and discovery hearings. I also handled numerous depositions both on the Plaintiff's side and on the Defense side.</p>
Reason for Leaving	Decreased workload.

Previous Employer	The Law Office of Robert Hill
Phone	505-541-6110
Address & Website	Las Cruces, New Mexico
Date(s) of Employment	4/2003 to 5/2006
Supervisor's Name and Title	Self
Your Title	Owner

Describe Your Key Duties	<p>I managed a busy civil, criminal, and family law practice with my law partner/wife. Handled cases from inception up to and through verdict. Analyzed cases and evaluated proper method to proceed with case to best assist client. Met with and worked with clients towards their goals and objectives.</p> <p>My extensive court room experience includes arraignments, motion hearings, plea hearings, and jury trials. Trial experience includes all aspects from voir dire to closing arguments.</p> <p>I was a Conflict attorney for the Public Defender’s Office of New Mexico.</p> <p>Manage rotating case load of 75 + cases including:</p> <p>Felonies: murder, assault with a deadly weapon, drug related offenses, child abuse, burglary, robbery, and domestic violence.</p> <p>Misdemeanors: domestic violence, DWI, battery, and traffic violations.</p> <p>Civil: Landlord/Tenant issues, personal injury, contracts, divorce, child custody, and wills.</p>
Reason for Leaving	Moved to Las Vegas

Educational Background

7. List names and addresses of high schools, colleges, and graduate schools (other than law school) attended; dates of attendance; certificates or degrees awarded; reason for leaving.
 - A. Roswell High School, Roswell New Mexico. Graduated in 1989 with my high school diploma.
 - B. University of Tulsa, Tulsa Oklahoma. I attended one semester and then transferred to New Mexico State University.
 - C. New Mexico State University, Las Cruces, New Mexico. I attended NMSU from 1990 to 1995. I received a Bachelor of Criminal Justice.

After graduation, I began working on a Masters in Business Administration. I did not complete it as I got into law school.

8. Describe significant high school and college activities including extracurricular activities, positions of leadership, special projects that contributed to the learning experience.

In law school, I was elected as the Judicial Chair for the Student Bar Association.

9. List names and addresses of law schools attended; degree and date awarded; your rank in your graduating class; if more than one law school attended, explain reason for change.

Thomas Jefferson School of Law, San Diego California. I received my Juris Doctorate Degree in December 1997.

10. Indicate whether you were employed during law school, whether the employment was full-time or part-time, the nature of your employment, the name(s) of your employer(s), and dates of employment.

I worked part time for a short term at the San Diego City Attorney's Office contacting civil litigants to arrange arbitration for their cases. I do not recall the dates, it would have been in 1996.

I also worked for a short time with American Arbitration Association contacting litigants to set up arbitrations.

11. Describe significant law school activities including offices held, other leadership positions, clinics participated in, and extracurricular activities.

I was the Judicial Chair for the Student Bar Association.

Law Practice

12. State the year you were admitted to the Nevada Bar.

State Bar of Nevada 2003, bar #8496

13. Name states (other than Nevada) where you are or were admitted to practice law and your year of admission.

California State Bar 2000, bar #208204 (Inactive).

New Mexico State Bar 1998, bar #9664 (Inactive).

14. Have you ever been suspended, disbarred, or voluntarily resigned from the practice of law in Nevada or any other state? If so, describe the circumstance, dates, and locations.

No

15. Estimate what percentage of your work over the last five years has involved litigation matters, distinguishing between trial and appellate courts. For judges, answer questions 16-20 for the five years directly preceding your appointment or election to the bench.

I would say 95% of my practice has involved litigation matters. I have almost exclusively handled Family Law Matter for the past 10 years and almost everyone of them are litigation matters.

16. Estimate percentage of time spent on:

Legal Discipline	Percentage of Practice
Domestic/family	99%
Juvenile matters	0%
Trial court civil	0%
Appellate civil	0%
Trial court criminal	0%
Appellate criminal	0%
Administrative litigation	0%
Other: Please describe	Personal Injury 1%

17. In the past five years, what percentage of your litigation matters involved cases set for jury trials vs. non-jury trials?

All of my cases that are set for trial have been bench trials in the past 5 years as the vast majority of my practice is Family Law.

18. Give the approximate number of jury cases tried to a conclusion during the past five years with you as lead counsel. Give the approximate number of non-jury cases tried to a decision in the same period.

I have had 0 cases tried to jury in the past 5 years.

I have had approximately 40 bench trials over the past 5 years in Family Law.

19. List courts and counties in any state where you have practiced in the past five years.

Clark County District Court.

Nye County District Court.

20. List by case name and date the five cases of most significance to you (not including cases pending in which you have been involved), complete the following tables:

Case 1
Case name and date: In the Matter of : K. Hooper, J-17-321320-P4

<p>Court and presiding judge and all counsel: Eighth Judicial District Court Family Division-Juvenile. Honorable Judge Margaret Pickard was the judge.</p>
<p>Importance of the case to you and the case's impact on you: This was an abuse neglect petition case in which I was the CAP attorney for the child K Hooper who was about 10 years old when I first met him. The case went to trial on a termination of rights. This was not the first abuse neglect case the child was involved in as he had been placed in the system a few times prior to my involvement. As a result of the trial, the parent's rights were terminated.</p> <p>This case had an impact on me from the first time I met the child. He spoke of his life and the troubles he had lived through. When asked what he wanted at our first meeting, he said he wanted to know where he would sleep and that he would not have to worry about what he was going to eat every day.</p> <p>To hear a 10-year-old say those things was heartbreaking. Seeing a child like this involved in a court case not of his making is eye opening. I have handled abuse neglect cases in the past, representing parents in New Mexico, but to see it from a child's view point is a different story.</p> <p>This case helped solidify my understanding of how important the judicial process is in every case, especially those involving children. Doing what is best for the children in abuse neglect cases, as well as custody cases is a daunting task which must be approached with the appreciation of the impact your decision will have on the children.</p> <p>In the end, K. Hooper was placed with a family member out of state where he was adopted and living his best life. It was very satisfying to help him through the process of the court case, explaining to him how it worked, and being there with him when he wanted to speak up for himself in Court.</p>
<p>Your role in the case: I was the CAP attorney for a child in the abuse neglect petition.</p>

<p>Case 2</p>
<p>Case name and date: Mays vs. Vo, 2017</p>
<p>Court and presiding judge and all counsel: Eighth Judicial District Court Family Division, Judge Gibson</p>
<p>Importance of the case to you and the case's impact on you: This was a difficult case emotionally. The litigants were the grandparents of a child who lost both parents to a murder-suicide which happened with him in the apartment. The reason it stands out to me is that it again emphasized the importance and the impact the court system plays in individuals lives. A family was ripped apart in a single unfathomable moment and the court was left to pick up the pieces and try and make the best decision for a young child.</p> <p>I was not on the winning side in this case. Of course I did not agree with the outcome, but I understood the decision. I appreciated the fact that the judge allowed us to present our case, that it took the time to consider the facts presented to it, and that the court made a timely and detailed decision.</p>

<p>After conducting a long and emotionally draining trial, I appreciated the fact that the Court was in a difficult position having to decide where this child was going to live. As above, this case reiterated my respect and admiration for the difficult position the judge was put in having to decide who gets to raise the child after such a tragic event having occurred in his life.</p>
<p>Your role in the case: I represented Plaintiff in the matter.</p>

Case 3
Case name and date: Khomutov vs. Khomutov, 2011
Court and presiding judge and all counsel: Eighth Judicial District Court- Family Division, Judge Moss
<p>Importance of the case to you and the case's impact on you:</p> <p>This case had an impact on me for a few different reasons. The first being the appreciation I received from the client a few years after the case was finalized. She contacted me and told me that I helped her get to the point where the parties were able to work together for their child. That my advice made her situation more bearable and benefitted their son the most. The second reason this case had an impact on me was in how the case was handled in the system. The divorce case was initiated in 2011 and the Decree was not finalized until 2018. I came into the case in 2014.</p> <p>The opposing side was pro se which added to the delays and frustrations in the case. The delay was not beneficial to anyone and unfortunately was allowed to drag on through no fault of the court.</p> <p>This case is an illustration for me in how it is important for timely handling of cases. How it is important to control the court room and come to a resolution so that the parties can go on with their lives.</p>
<p>Your role in the case:</p> <p>I represented the Defendant (Mom) in the case.</p>

Case 4
Case name and date:
Court and presiding judge and all counsel:
Importance of the case to you and the case's impact on you:
Your role in the case:

Case 5
Case name and date:

Court and presiding judge and all counsel:
Importance of the case to you and the case's impact on you:
Your role in the case:

21. Do you now serve, or have you previously served as a mediator, an arbitrator, a part-time or full-time judicial officer, or a quasi-judicial officer? To the extent possible, explain each experience.

Yes

I was Pro Tem Hearing Master for Child Support approximately 4 years ago, for a 2-year appointment. I appeared as Hearing Master a few times during this appointment.

I was a Pro Tem Hearing Master for traffic and small claims from 2021-2022. I was not called for any appearances during this time.

22. Describe any pro bono or public interest work as an attorney.

I have handled a couple pro bono cases through Legal Aid. In one of the cases I appeared as a CAP attorney for a minor who was the victim in an abuse neglect case. The case lasted a few years and went to an evidentiary hearing where his parent's rights were terminated.

I also handled a pro bono divorce case, representing the wife in a long-term marriage. This case also went to trial.

23. List all bar associations and professional societies of which you are or have been a member. Give titles and dates of offices held. List chairs or committees in such groups you believe to be of significance. Exclude information regarding your political affiliation.

None.

24. List all courses, seminars, or institutes you have attended relating to continuing legal education during the past five years. Are you in compliance with the continuing legal education requirements applicable to you as a lawyer or judge?

I am in compliance with my CLE requirements.

Date	Course Name
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12/15/2022	Do You Really Understand the Attorney-Client Privilege?
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Date	Course Name
12/01/2022	Advanced Family Law 2022
11/03/2022	Bench Bar
08/18/2022	Bench Bar
04/07/2022	Bench Bar Meeting 04-07-2022
12/30/2021	Attorney Heal Thyself
12/04/2020	Las Vegas Justice Court Pro Tempore Training
10/08/2020	Eviction Mediation Training Part 2: Eviction Law & Procedure
02/06/2020	Bench Bar Meeting (2-6-20)
12/12/2019	Bench Bar Meeting
08/15/2019	Bench/Bar Meeting
02/28/2019	30th Annual Family Law Conference
11/29/2018	Addiction in the Legal Field Presented By Kristine Kuzemka, Esq.
04/05/2018	Bench/Bar Meeting

Date	Course Name
03/02/2018	Efficient Evidence (2018 Family Law Conf)
03/02/2018	Tax Changes & Bitcoin (2018 Family Law Conf)
03/02/2018	Substance Abuse & Recovery (2018 Family Law Conference)
03/02/2018	10 Tips to Understand & Ethically Capitalizing on the Evolving Legal
03/01/2018	Caselaw & Legislative Update (2018 Family Law Conf.)
03/01/2018	Litigation Essentials (2018 Family Law Conf)
03/01/2018	Understanding Human Trafficking: Legal Requirements & Lessons Learned.
03/01/2018	Trauma-Informed Lawyering (2018 Family Law)
03/01/2018	District Court Judges' Panel (2018 Family Law Conf)
03/01/2018	Appellate Court Judges' Panel (2018 Family Law Conf)
03/02/2017	2017 Family Law Conference
01/25/2017	EDCR 5 New Rule Overview
11/07/2016	The Basics of Family Law Trial

Date	Course Name
10/06/2016	Bench/Bar Meeting
09/27/2016	Child Support Hearing Master Pro Tem Training
08/11/2016	Bench/Bar Meeting
05/12/2016	Bench/Bar Meeting
03/31/2016	Bench/Bar Meeting
03/03/2016	27th Annual Family Law Conference

25. Do you have Professional Liability Insurance or do you work for a governmental agency?
None.

Business & Occupational Experience

26. Have you ever been engaged in any occupation, business, or profession other than a judicial officer or the practice of law? If yes, please list, including the dates of your involvement with the occupation, business, or profession.

None.

27. Do you currently serve or have you in the past served as a manager, officer, or director of any business enterprise, including a law practice? If so, please provide details as to:

- a. the nature of the business
- b. the nature of your duties
- c. the extent of your involvement in the administration or management of the business
- d. the terms of your service
- e. the percentage of your ownership

Over the past 20 years, I have run my own office either with my wife as my partner or solely on my own. As a small firm, I have worn many hats. I manage my employees and contractors. I run the business end from advertising to paying the bills and everything in between. While

doing all this, I also meet with prospective clients, evaluate cases, draft pleadings, conduct legal research, file pleadings, attend court hearings, and counsel clients along the way.

28. List experience as an executor, trustee, or in any other fiduciary capacity. Give name, address, position title, nature of your duties, terms of service and, if any, the percentage of your ownership.

None.

Civic Professional & Community Involvement
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29. Have you ever held an elective or appointive public office in this or any other state?

No

Have you been a candidate for such an office?

No

If so, give details, including the offices involved, whether initially appointed or elected, and the length of service. Exclude political affiliation.

30. State significant activities in which you have taken part, giving dates and offices or leadership positions.

None.

31. Describe any courses taught at law schools or continuing education programs. Describe any lectures delivered at bar association conferences.

None.

32. List educational, military service, service to your country, charitable, fraternal and church activities you deem significant. Indicate leadership positions.

None.

33. List honors, prizes, awards, or other forms of recognition.

None.

34. Have you at any time in the last 12 months belonged to, or do you currently belong to, any club or organization that in practice or policy restricts (or restricted during the time of your membership) its membership on the basis of race, religion, creed, national origin or sex? If so, detail the name and nature of the club(s) or organization(s), relevant policies and practices, and whether you intend to continue as a member if you are selected for this vacancy.

No

35. List books, articles, speeches and public statements published, or examples of opinions rendered, with citations and dates.

None.

36. During the past ten years, have you been registered to vote?

Yes

Have you voted in the general elections held in those years?

Yes

37. List avocational interests and hobbies.

I love to watch all kinds of sports from football to college softball. I also like to attempt to play golf occasionally. And finally, I love anything and everything to do with cars from racing to show cars.

Conduct

38. Have you read the Nevada Code of Judicial Conduct and are you able to comply if appointed?

Yes

39. Have you ever been convicted of or formally found to be in violation of federal, state or local law, ordinance or regulation? Provide details of circumstances, charges, and dispositions.

No

40. Have you ever been sanctioned, disciplined, reprimanded, found to have breached an ethics rule or to have acted unprofessionally by any judicial or bar association discipline commission, other professional organization or administrative body or military tribunal? If yes, explain. If the disciplinary action is confidential, please respond to the corresponding question in the confidential section.

No

41. Have you ever been dropped, suspended, disqualified, expelled, dismissed from, or placed on probation at any college, university, professional school or law school for any reason including scholastic, criminal, or moral? If yes, explain.

Yes

In my second year of college at New Mexico State University, I did not obtain the required minimal GPA. I was suspended for 1 semester. After that, I went on to complete my degree and got into graduate school at New Mexico State University to work on Masters in Business

Administration. I did not complete my MBA work as I got into Law School and chose to pursue my law degree at that time.

42. Have you ever been refused admission to or been released from any of the armed services for reasons other than honorable discharge? If yes, explain.

No

43. Has a lien ever been asserted against you or any property of yours that was not discharged within 30 days? If yes, explain.

No

44. Has any Bankruptcy Court in a case where you are or were the debtor, entered an order providing a creditor automatic relief from the bankruptcy stay (providing in rem relief) in any present or future bankruptcy case, related to property in which you have an interest?

No

45. Are you aware of anything that may require you to recuse or disqualify yourself from hearing a case if you are appointed to serve as a member of the judiciary? If so, please describe the circumstances where you may be required to recuse or disqualify yourself.

The only reason I would have to recuse myself would be if a former client or consultation came before me.

Other

46. If you have previously submitted a questionnaire or Application to this or any other judicial nominating commission, please provide the name of the commission, the approximate date(s) of submission, and the result.

None other than applications for hearing master if that qualifies.

47. In no more than three pages (double spaced) attached to this Application, provide a statement describing what you believe sets you apart from your peers, and explains what education, experience, personality or character traits you possess, or have acquired, that you feel qualify you as a supreme court justice. In so doing, address appellate, civil (including family law matters), and criminal processes (including criminal sentencing).

48. Detail any further information relative to your judicial candidacy that you desire to call to the attention of the members of the Commission on Judicial Selection.

I just want to reiterate the fact that I have been practicing law since 1998 and I have not received a bar complaint or any issue which required a resolution by any state bar. I am very proud of this fact given the number of areas of law I have practiced in. I pride myself in having a good reputation among my peers, the courts, and clients.

49. Attach a sample of no more than ten pages of your original writing in the form of a decision, "points and authorities," or appellate brief generated within the past five years, which demonstrates your ability to write in a logical, cohesive, concise, organized, and persuasive fashion.

Personal Statement for Robert Hill.

I believe that I am the best choice to fill the seat in Department O. My almost 25 years' experience and practice in different areas of law are what set me apart from other candidates. Some of the specific skills are my litigation experience, my experience with appearing in front of so many different types of judges, and my overall integrity. Since becoming an attorney in 1998, I have practiced law as a prosecutor, defense attorney, civil attorney, family law attorney, and general practice attorney.

My practice is primarily focused on family law. Approximately 95% of my case load is family law matters from divorce to custody to child support and everything in between. As a small firm, I handle all aspects of the office from consultations to trials. I deal with family law matters every day and most if not all my continuing legal education classes are family law related and I attend the family law conference each year.

Since the beginning of my career, I have been a litigator. I have handled approximately 50 jury trials, and countless more bench trials. In addition to this, I am in court on a weekly basis for motions hearings and other procedural hearings.

I have appeared in front of numerous judges in New Mexico, California, and Nevada. One of the first judges I appeared in front of as a young prosecutor in New Mexico had been on the bench since 1969. He was a very intimidating "old school" judge. Even though he was so intimidating, it was an honor to appear in front of him and be able to observe a judge with such experience. I have also appeared in front of judges who I did not agree with how they handled their court or cases, but I tried to be respectful and learn from them as well. My experience with different types judges has provided me with insight as

to what type of judge I will strive to be. I will be a judge with a reputation for being fair, impartial, and consistent.

The Preamble to the REVISED NEVADA CODE OF JUDICIAL CONDUCT starts out as follows: “*An independent, fair and impartial judiciary is indispensable to our system of justice.*” I believe that this is very important. I wholeheartedly agree that our judges should portray the highest level of confidence to the public, attorneys, and litigants. I try to do the same in my private practice. I am honest and straight forward with all my clients and potential clients. I will be honest and straightforward as a judge as well.

I feel that it is important for a judge to have control of his or her court room and not allow it to fall into chaos. And at the same time, the court must allow people their day in court. I think that it is important that respect both given and shown in the court room.

I believe that it is important for litigants and attorneys to know what to expect when they appear in front of a judge. I will also focus on providing concise and timely rulings.

I will promote the judiciary, enhance the public’s confidence in the system, and work with the community to further these goals. I also want to work with students interested in becoming lawyers to help guide them and help them understand the importance of being an attorney.

As I indicated above, one of the first judges I ever appeared in front of was intimidating, stern, and fair. He impressed on me the importance of the role of the judge in the court room. He also is an inspiration to me and one of the reasons I want to be a judge.

I have seen the impact the decisions, rightly made or not, have had on people's lives, especially in family court. As a judge I will be cognizant of this important fact act accordingly.

Should I be chosen to fill the open seat, I will serve with honor and integrity. I know that I am more than qualified to serve as judge and I look forward to the opportunity to convey this fact to the commission.

1 MTN
2 Robert E. Hill, Esq.
3 Nevada Bar No. 8496
4 Shauna Hill, Esq.
5 Nevada Bar No.10899
6 THE HILL LAW GROUP
7 7341 W. Charleston Blvd., Suite 160
8 Las Vegas, Nevada 89117
9 Telephone: (702) 852-1552
10 Facsimile: (702) 240-1440
11 Shaunalaw1@gmail.com
12 Attorneys for Defendant

8 **DISTRICT COURT**
9 **FAMILY DIVISION**
10 **CLARK COUNTY, NEVADA**

11 ERIC PERREIRA,

12 Plaintiff,

13 vs.

14 SAMANTHA EISENBERG,

15 Defendant.

CASE NO. : D-19-598410-C
DEPT. NO. : W

ORAL ARGUMENT REQUESTED:
YES

17 **DEFENDANT’S MOTION TO SET CUSTODY ORDER, RESCIND**
18 **PICKUP ORDER, AND REQUEST FOR ATTORNEY’S FEES**

19 Defendant, SAMANTHA EISENBERG (“Mom”), by and through her
20 Attorneys Robert E. Hill, Esq. and Shauna Hill, Esq. of The Hill Law Group,
21 hereby files this motion and requests the following relief:
22

- 23
- 24 1. For an Order granting Defendant’s request to set aside the Order
 - 25 filed with this Court on May 20, 2021;
 - 26 2. For an Order rescinding the Pickup Order immediately;
 - 27 3. For an Order that Plaintiff pay Defendant’s attorney’s fees and
 - 28 costs;

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4. For such other relief as the court may deem just and proper.

This motion is made and based upon all the papers and pleadings on file herein and oral argument at the time of hearing of this matter.

DATED this 3rd day of June, 2021.

THE HILL LAW GROUP

Robert E. Hill, Esq.
Nevada Bar No. 8496
Shauna Hill, Esq.
Nevada Bar No. 10899
7341 W. Charleston Blvd., Suite 160
Las Vegas, Nevada 89117
Attorneys for Defendant

MEMORANDUM OF POINTS AND AUTHORITIES

I.

STATEMENT OF FACTS

This case involves a 2-year-old little girl named Riley Eisenberg who was born on May 3, 2019. This child has never had any contact with Plaintiff other than a few minutes here and there through the What's App. Mom has the entire log of the WhatsApp activity since Plaintiff 1st signed up on May 8, 2020. The first time he saw Riley was when she was 6 months old, December 3, 2019. The only reason he saw Riley was because Mom was trying to have him be a part of her life. Since then, his in-person contact has been limited due to his own failings. The child is in danger of being thrown to a stranger when he has chosen to not be a part of her life.

1 As the Court is aware, there was a CPS case against BOTH parents. Mom
2 cooperated fully and Plaintiff, avoided, played games, and completely
3 disregarded the case against him. The Court will need to obtain the full CPS
4 record to detail Plaintiff's failures and noncooperation with CPS. A sample of
5 the information available from the CPS records is the following from the
6 **August 5, 2020 Supplemental Court Report** which terminated the
7
8 wardship: "Mr. Perreria appears to be in the Contemplation Stage of Behavior
9 Change. He maintains sporadic contact with the Department and he reports he
10 has maintained housing and employment. However, he still does not admit to
11 illegal drug use and has not engaged in substance abuse treatment. His last
12 drug test that was provided to him in June was positive in his hair for
13 Methamphetamine. He does not follow through with consistent contact with
14 Riley, which is recommended, so he can bond with Riley. Riley has only seen
15 the natural father a few times which is making bonding difficult." The case was
16 closed after this.

21 Admittedly, Mom had an issue with drugs. Contrary to any assertions
22 otherwise, Plaintiff also had/has an issue with drugs as they used them
23 together with Plaintiff providing the drugs.

25 In November of 2018, Plaintiff was arrested for domestic violence against
26 Mom, while she was pregnant. This event happened in San Diego (Exhibit 1).
27 Mom, seeing how her life was going and wanting to get sober, entered West
28

1 Care Rehab. Mom was clean and sober from that point on during her
2 pregnancy.

3
4 Plaintiff denied that the child was his, accusing Mom of sleeping with
5 other men. He refused to acknowledge that she was pregnant, even forcing her
6 to go to a Mexican restaurant with a female friend of his so that his friend
7 could witness Mom taking a pregnancy test. After the test showed that Mom
8 was pregnant, Mom was left at the restaurant alone and without
9 transportation.
10

11
12 Plaintiff was not involved in the pregnancy at all. He was not there for
13 the birth of the child. He has not been there for the entire 2 years she has been
14 on this earth. Luckily for Mom, her husband, who was her boyfriend/friend at
15 the time has been there for Riley the entire time, even being there at her birth.
16

17
18 In September 2019, Mom relapsed. In December 2019 Mom's father
19 called CPS. Immediately after that, in December 2019, Mom entered rehab and
20 was in for 3 months. She has been completely sober since. Mom was involved
21 in an abuse/neglect case filed against her. The child was placed with Mom's
22 parents.
23

24
25 Plaintiff also had an abuse/neglect case filed against him due to his
26 failed cooperation. It is Mom's understanding that CPS reached out to him and
27 he avoided them necessitating the CPS case against him as well.
28

1 Mom successfully completed everything she was asked to do through the
2 abuse/neglect case, testing negative for drugs at every test. She did everything
3 she was requested to do, and the child was placed back with her on or about
4 April 16, 2020.
5

6 Plaintiff was uncooperative with CPS, testing positive for drugs,
7 specifically meth. The Report for Permanency and Placement Review filed
8 June 4, 2020 indicates his positive test for meth and how uncooperative he
9 was with CPS. He denied drug use yet tested positive. He put off testing,
10 stating he was ill. He shaved all the hair from his body to avoid the hair portion
11 of the drug test. CPS tried on numerous occasions to get Defendant to take a
12 drug test beginning in January of 2020. He finally took the test in April of
13 2020. Despite his exhaustive efforts to avoid the drug test, he still tested
14 positive at a high level for meth. The report of June 4, 2020 also notes
15 Plaintiff's continued failure to follow through with assessments and
16 counseling.
17

18 The report also notes that Plaintiff was not consistent with visitation set
19 up at their visitation center. Covid hit, and his video visits with the child were
20 sporadic and inconsistent as well. He was provided the information for the
21 video chats in March of 2020, yet he failed to sign up for them until May of
22 2020, 3 months later! Most, if not all his video chats were from 1 to 5 minutes.
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1 The report of June 4, 2020 also points out that Plaintiff had only seen
2 the child a few times and that they had concerns about the bonding between
3 himself and the child. Mom does not believe that there is any bond between the
4 child and Defendant.
5

6 In April 2021, Plaintiff filed a motion for primary custody setting forth
7 numerous lies. The most important lie of all is the service of the motion.
8 Plaintiff sent the motion to PO Box Mom does not have access to. The PO Box
9 is her parents who she has not had a relationship with since early 2020. Mom
10 did not file a change of address as she is not an attorney and was not aware
11 that she had to do that since the case was closed. However, Plaintiff knew
12 where Mom was and had the ability to reach her as he has had her phone
13 number for several years.
14
15
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17 Plaintiff also mailed the motion to an address Mom has never lived at.
18 He put the wrong apartment number on the envelope (Exhibit 2). Mom
19 NEVER lived in apartment 155, she was in apartment 115. The interesting part
20 of this whole deal is that the certificate of mailing from Defendant's attorney
21 for the Notice of Entry of Order has the correct apartment number Mom used
22 to live at which is apartment 115, NOT 155.
23
24

25 In addition to this, Mom moved in April 2021 and left a forwarding
26 address with the post office. However, she has not received any of her mail,
27 and never received the Motion Plaintiff filed.
28

1 Plaintiff has committed fraud on this Court and is placing a child in
2 danger due to his actions. Mom is extremely concerned about the safety of her
3 daughter as she does not believe Plaintiff is sober. He was difficult with CPS
4 and has shown that he does not care about the authority of the courts. He
5 purposefully did not serve Mom the motion as he knew he would lose as he
6 does not know the child and more importantly, the child has NO idea who he
7 is. He has chosen to not be a part of the child's life and for likely financial
8 reasons, is trying to take the child from Mom.
9
10

11 Mom is requesting an emergency hearing so that the issue can be
12 addressed so that the child is not harmed in any way. Mom was not aware of
13 the court hearings, nor the motion. She must have her day in Court to prove
14 that Plaintiff is unfit and should not have custody of this 2-year-old little girl.
15
16

17 **II.**

18 **LEGAL ARGUMENT**

19
20 **A. This Court Should Set Aside the Stipulated Decree of**
21 **Custody**

22 **Basis for Set Aside**

23 The purpose of Rule 60(b) is to redress any injustices that may have
24 resulted because of excusable neglect or the wrongs of an opposing party.
25 Nevada Industrial Development, Inc. v. Benedetti, 103 Nev. 360 at 364, 741
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1 P.2d 802 at 805 (1987); Carlson v. Carlson, 108 Nev. 358, 832 P.2d 380
2 (1992).

3 **Timing of Motion**

4
5 There is no issue as to her timely filing. In short Mom is able to prove to
6 this Court, under NRCP 60(b), that (a) she made prompt application to remove
7 the judgment; (b) she displayed no intent to delay the proceedings; (c) there
8 was a lack of knowledge of the party or counsel as to procedural requirements;
9 and (d) she at all times displayed good faith. Ogle v. Miller, 87 Nev. 573, 491
10 P.2d 40 (1971). We will step through these requirements one at a time.
11

12
13 There is no evidence that Mom has delayed these proceedings. Mom just
14 recently learned of the court case being reopened and she immediately reached
15 out and hired The Hill Law group. The Notice of Entry of Order was filed May
16 20, 2021.
17

18
19 Mom is not trying to delay any proceedings; she wants the Court to have
20 the benefit of the facts to make the correct decision when it comes to Riley. A
21 full review of the CPS case, J-19-350204-PC will provide this Court with all the
22 facts it needs to know regarding Plaintiff and Mom for that matter.
23

24 Finally, Mom was not aware of the need to file an updated address for
25 her latest move in April of 2021 as this case was closed. She is not an attorney
26 and should be excused for failing to update the address from the PO box.
27
28

1 Regardless of that, Plaintiff mailed the Motion to the incorrect address. Mom
2 was never given proper notice of the Motion.

3
4 **B.) NEVADA’S PUBLIC POLICY FAVORS CASES BEING DECIDED**
5 **UPON THE MERITS**
6

7
8 The Nevada Supreme Court has long held that Nevada has a basic
9 underlying policy that cases should be decided upon the merits. See, *Hotel Last*
10 *Frontier v. Frontier Prop.*, 79 Nev. 150, 155, 380 P.2d 293, 295 (1963)). The
11 policy favoring decisions on the merits is heightened in cases involving
12 domestic relations matters. See, *Price v. Dunn*, 106 Nev. 100, 105, 787 P.2d
13 785, 788 (1990) (citing *Dagher v. Dagher*, 103 Nev. 26, 28, 731 P.2d 1329, 1330
14 (1987)).
15
16
17

18 Mom did not have any input with regard to important Custody and
19 Visitation issues for Riley. Plaintiff has some serious issues which should cause
20 this Court concern about the child’s safety and well-being. The child does not
21 know Plaintiff through his own inactions. Mom has tried to have him be a part
22 of Riley’s life, but he has refused. He has committed domestic violence against
23 Mom while she was pregnant. He is not fit to have custody. Mom has been the
24 primary care giver of Riley since her birth. Mom simply wants to be heard with
25 regard to what is in the best interests of the children.
26
27
28

III.
CONCLUSION

1
2
3 Mom respectfully requests that the Order of May 20, 2021 be set aside
4 and the pickup order be rescinded.
5

6
7 DATED this 3rd day of June 2021. Respectfully submitted by:
8 THE HILL LAWGROUP

9
10
11 _____
12 Robert Hill, Esq.
13 Nevada Bar No. 8496
14 Shauna Hill, Esq.
15 Nevada Bar No. 10899
16 7341 W. Charleston Blvd., # 160
17 Las Vegas, Nevada 89117
18 Attorneys for Mom
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AFFIDAVIT OF SAMANTHA EISENBERG

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I, Samantha Eisenberg declare, under penalty of perjury under the law of the State of Nevada that:

1. I can testify that the facts stated in this my affidavit are made to the best of my knowledge, except as to those matters based on information and belief, and as to those matters, I believe them to be true.

2. I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

DATED this ____ day of _____, 2021.

Samantha Eisenberg

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CERTIFICATE OF SERVICE

The Undersigned, pursuant to NRCP 5(b), does hereby state and declare that on the 3rd day June 2021, I did mail a true and correct copy of the foregoing to Plaintiff at the address listed below:

Eric Perreira
1030 Tam O'Shanter Dr.
Las Vegas, NV, 89109

An Employee of THE HILL LAW GROUP