



(For Commission Use Only)

COMMISSION CASE NO. _____

NEVADA COMMISSION ON JUDICIAL DISCIPLINE

VERIFIED STATEMENT OF COMPLAINT

(Please Clearly Type or Print All Required Information)

Part I: General Information

Date: 4/26/17

Name of Person Completing This Form: Steve Sanson

Mailing Address of Person Completing This Form: PO Box 28211
Las Vegas, NV, 89126

Daytime Telephone: 702) 283 8088 Email: vipipresident@cs.com

Part II: Specific Information Regarding Complaint

Name of Nevada Judicial Officer (Only One Name Per Complaint Form): Cheryl Moss

Name of Court or Judicial District Involved: Clark County Family

Case Number (Please Include All Letters and Numbers): D-10 - 433924-Z

When and where did the alleged misconduct or disability occur?

Date: 11/17/16 Time: _____ Location: Clark County Family Court

Date: _____ Time: _____ Location: _____

This Case Is (Select One): ☐ Pending In Trial Court ☐ On Appeal ☐ Not Pending or Closed

Nature of Complaint (Select One): ☒ I have attached my own explanation page(s)
☐ I have used the standard Complaint Form

Revised Nevada Code of Judicial Conduct Section(s) Violated, If Known [(Example: Canon 3B(4))]:

Part III: Obligations Of Complainant

I hereby acknowledge the following agreements and/or waivers:

Consent to Investigate. I expressly authorize the Commission on Judicial Discipline ("Commission"), staff and contractors, to investigate my complaint and take any and all actions, including interviewing any relevant witness(es) or request by subpoena or otherwise any documentary evidence and to verify the statements I have made herein to be true and correct (or if stated to be on information and belief, that the statements are believed in good faith to be true and correct). I agree to promptly supplement and amend this complaint if I learn that the facts I have alleged are materially incorrect. I understand that deliberately misstating the truth of any material fact could subject me to various sanctions including, but not limited to, dismissal of my complaint, contempt or a separate action for perjury.

Part III Obligations of Complainant (Continued)

Full Cooperation. I agree to fully cooperate with the Commission, staff and its designated contractors with regard to my complaint. I understand that even if I wish to withdraw my complaint that the Commission retains independent grounds to pursue it and that the information contained within and attached to the complaint becomes the property of the Commission and the Commission may pursue the complaint even if I seek to withdraw it. **I understand that all documents submitted become the property of the Commission and will not be returned.**

Appeal Warning. I understand that the Commission, its staff and contractors are not an appellate court and that my filing of a complaint does not stay or stop any time I am provided to appeal a decision I disagree with or any decision that adversely affects me. I understand that I must timely file an appeal to preserve those rights. I acknowledge that filing a complaint with the Commission does not and cannot preserve those rights.

Legal Advice. I understand that the Commission, its Commissioners, Commission staff, investigators and contractors are precluded from giving me legal advice regarding my case or actions I should be taking in my case and I understand that should I require advice I will seek appropriate assistance apart from the Commission, Commissioners, Commission staff, investigators and contractors.

Part IV: Attachments

Relevant documents: Please attach any relevant documents which you believe directly support your claim that the judge has engaged in judicial misconduct or has a disability. **Highlight or otherwise identify those sections that you rely on to support your claim.** Do not include documents which do not directly support your complaint, for example, a copy of your complete court case. **Keep a copy of all documents submitted for your records as they become the property of the Commission and will not be returned.**

Part V: Signature and Verification of Complaint

After being duly sworn, I state under penalty of perjury that I am the above-referenced complainant whose name appears in Part I and who submitted this complaint. I know the contents thereof; and the matters set forth in this complaint are true and correct based upon my own knowledge, except as to matters stated to be on information and belief, and those matters are believed to be true and correct. I request that the conduct set forth above or referenced in the attachments and exhibits provided with the complaint be investigated by the Nevada Commission on Judicial Discipline.



Signature of Complainant

4/26/17

Date

How Do I Submit My Complaint? Where Can I Obtain Additional Assistance? This complaint, along with any supporting materials, should be sent by mail to the: **Nevada Commission on Judicial Discipline, P.O. Box 48, Carson City, Nevada 89702.** If you have questions regarding the completion of this form, please contact the Commission on Judicial Discipline at **(775) 687-4017.** In addition, if you have access to the internet, or can obtain access at a local library or other facility, the Commission's web site located at **<http://judicial.state.nv.us>** and provides additional information to help you prepare your complaint. The web site also includes the full and current text of the Revised Nevada Code of Judicial Conduct and other laws, statutes and rules governing the Commission.

STANDARD COMPLAINT FORM (STATEMENT OF FACTS)

The following is my explanation as to why the judicial officer named in this complaint has violated the Revised Nevada Code of Judicial Conduct or suffers from a disability.

Please identify yourself as [**select one**]: [] a litigant; [] a witness or interested party; or [☒] a member of the general public who witnessed or viewed this conduct (but not otherwise involved).

The following are the specific facts and circumstances which you believe constitute misconduct or disability (please be as specific as possible about the event(s) or action(s) and attach additional pages, if necessary):

See ATTACHED

- 1 Changed custody of children from mother to
Abusive father de facto
- 2 Delegated her Judicial authority to the
therapist
- 3 Allowed ex parte communication from the
therapist & condoned exclusion of mothers
counsel
- 4 Found mother in criminal contempt of
an order that did not exist.
- 5 locked children up in Child Haven, because
they did not want to go with abusive
father
- 6 Judge signed an order to the fathers
attorney with a blank space for him to
fill out for attorneys fees. no proof up.

I have [**select one**]: [] appealed the judge's decision [] not appealed the decision
[] not decided to appeal the decision yet [] not applicable

Attach Additional Pages as Necessary

(Revised 12/28/2015)

Smalling, Natalie

From: Donna Wilburn <donna.wilburn65@gmail.com>
Sent: Thursday, November 17, 2016 3:01 PM
To: James Pengilly; Jenna Kerrigan; jason kerrigan; Smalling, Natalie; Chad Fuss; Donna Wilburn
Subject: Pick Up Protocol- Kerrigan
Attachments: Order re Evidentiary Hearing.pdf

Did Donna wait for the orders to be filed?

A copy of this email will be faxed to Joe Houston's office after 4pm today. ←

To All Concerned:

MODIFICATION: Due to the severity of the children's behavior, I am agreeing to be present to assist the police in assessing placement of the children. If they are severely emotionally disturbed, they will be transported by ambulance to the appropriate behavioral hospital for assessment. If and/or when released, they will be released into Jason's care.

If they are in minor to moderate distress, they will be transported by Monica or another representative to Jason's home where we will discuss the expectations for the next two weeks.

At this point we will use the transition plan that was agreed upon previously by the court.

The period of no-contact begins as soon as the children have been turned over to either the authorities or Jason's representative.

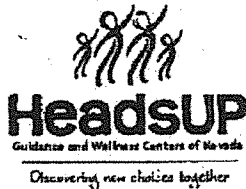
As I stated in court, I am open to using their current nanny to help the children transition. All I ask is that I conduct a brief interview previous to her involvement. I had asked mom to send her contact information to me, which she has not as of yet.

Thanks,
Donna

--
Donna Wilburn M.S., LMFT

Licensed Marriage & Family Therapist/ Children's Specialist
Clinical Supervisor/VP
Heads Up Guidance & Wellness Centers of Nevada
2801 S. Valley View #6
Las Vegas, NV 89102
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Colleen O'Callaghan-Miele
President/CEO

Patrick Scott, LCSW
VP/Clinical Director

Donna Wilburn, LMFT
VP/Clinical Supervisor

Vision Statement

*We envision a
community in which
all people will be
empowered with the
knowledge, tools and support
to be able to live and enjoy
their lives while building
bridges of mutual
empowerment for
others to cross.*

2801 S. Valley View #6
Las Vegas, NV 89102
Phone: (702) 922-7015
Fax: (702) 922-6600

www.HeadsUpNevada.com

Therapist: Donna Wilburn M.S., LMFT
Licensed Marriage & Family Therapist (Private Practice)
License #0666

Judge: Cheryl Moss
Client: [REDACTED] Family

November 2, 2016

Transition Plan

The goal of this transition is to provide Jason and the children the opportunity to repair their relationship without any negative influence. The period of two weeks of no-contact between the children and their mother is a minimum not a maximum. The reintroduction of time with the mother is based on the reduction of the negative symptoms present in the children's behavior. The children will be communicating with therapists as often as necessary and the therapists will be monitoring the process of reunification.

Jason will begin alcohol monitoring immediately either using a SCRAM device or other consistent monitoring device. Jason will remain using the SCRAM bracelet until otherwise notified by Donna. Reports will be sent to Donna Wilburn directly.

Starting on transition day, Jenna and any representative of Jenna such as her husband, family member, or friend must refrain from instigating any contact with the children for a minimum of two weeks or until symptoms of pathogenic parenting subside. Jenna is not to go to the school, she must not attend any appointments or children's activities for two weeks. If the symptoms are satisfactorily reduced after two weeks, short supervised visits with mom and children can begin. If symptoms are still present, supervised visits will not begin. The reunification therapist will approve of the supervisor for Jenna's visitation.

Jenna is to pack enough belongings and clothing to last the children at least two weeks. **The children are NOT ALLOWED to bring any phones or electronics.** Jason can reward the children with supervised use of his phone or electronic item should he feel it is appropriate. No contact is to be instigated between Jenna and the children. If the children do contact Jenna or a representative of Jenna, the adult is not to respond but will need to notify the reunification therapist.

Jenna is to provide Jason with a list of obligations and activities that the children are involved in. Jenna must provide Jason with contact information for those that organize activities in which the children are involved.

Preparation

It is not necessary to prepare the children in a therapist's office. The children are resistant to therapy and involving a therapist before they have transitioned might actually increase their stress and resistance. It is recommended that the children have as little information as possible before transitioning as anticipation is anxiety generating.

The following people will help with supervision at Jason's home. We will be using Jason's home as the site of placement as the children have their own rooms there and they are familiar with the area. Logistically, there is no other location suitable at this time. If the children are too anxious with Jason in the home, he may give them some time without him present by going to stay at his sister's home. We can discuss these options in session. Page | 2

Monica- former/present nanny, she has been working with the children as recently as a year ago. The children seem to be comfortable with her.

David- paternal first cousin. He is 18 years old, the children are familiar with him and there is no history of negative interactions between he and the children.

Rowena- Jason's fiancé. She has been interviewed by Donna and is found to be calm and have very good self-control. She has met Jenna in therapy sessions with Nic Ponzo.

Phase One

Expected date of transition: Saturday November 12, 2016 as Donna Wilburn is out of town at a conference until Sunday November 6th.

I would prefer the transition be done on a weekend day in order to prevent the children from having to experience stress during the school day.

The morning of the transition, Jenna may prepare the children and she must present a supportive manner otherwise it will negatively influence their transition. **This event is their opportunity to repair their relationship with their father.** The children may be aware that the length of the no-contact period is dependent on their behaviors. If they participate, are cooperative and behave well, the no-contact period will be two weeks in duration. If they remain hostile or uncooperative, the no-contact period will be extended. They may be informed that their father is being monitored for alcohol use during the no contact period. If Jenna or any representative of hers violates the transition plan, the no-contact period may be extended.

Unless the children are not "persons", this means that supervision is not necessary

Monica (nanny) will pick the children up and bring them directly to Donna Wilburn's office. Jason will coordinate with her schedule to determine what exact time. Monica will bring the children to Donna Wilburn's office on Valley View. We will discuss the transition, expectations and concerns. Jason will be then accompany the children and Monica to Jason's home where Monica, David and/or Rowena will stay with the children until it is determined by Donna that an observer is not needed. Jason may stay in the home as long as there is another person in the home with him. It is recommended that Monica, David, Rowena, or Jason's sister be the objective observer when he is in the

home. They may attend sessions with the children, they may have to transport the children to and from school and they may also email Donna Wilburn regarding concerns and questions during this process. The children must continue to participate in school and extracurricular activities during this process. Jenna cannot attend at any event where the children are present for the 2 week no-contact period and until it is determined appropriate by the reunification therapist.

Page | 3

→ Jason will rate the children's behavior each day using the behavior rating scale provided by Donna. They may earn electronics time based on their rating. The rating scale measures the symptoms of pathogenic parenting.

Jason and the children will attend counseling sessions at least 2 times a week, more if needed. One session will be with Claudia Schwarz, the other will be with Donna Wilburn. If Claudia is not available, both sessions will be with Donna Wilburn. Claudia has agreed to participate as the children's counselor and is available should a crisis session be needed. Donna and Claudia will consult with each other multiple times a week to assess for progress.

Phase Two

After the 2 week no-contact period, the children will remain in Jason's home along with an observer while they are reintegrated into their mother's care. The reintegration begins with supervised visits between the children and their mother starting with 4 hours once a week. The supervisor may be any of the observers listed or a professional familiar with supervised visitation practices.

→ The visits will then increase as determined by the reunification therapist based on symptom presentation. The goal is to return to the original custodial schedule as soon as possible.

Safety Plan

If the children refuse to be transported by Monica to Donna's office then they are considered hostile, mentally distressed and/or acting out. Monica is to immediately contact Donna Wilburn or Claudia Schwarz. The children must then be transported by any adult or a first responder to a behavioral hospital such as Seven Hills or Spring Mt Treatment center where a professional will assess for admission after consulting with Donna Wilburn and/or Claudia Schwarz. Mom is not to have any contact with the children during their assessment and time at the hospital. The only contact people to communicate with the behavioral hospital will be Jason, Claudia, Donna or a representative of Jason. The two week period does not start until the children have been released into Jason's care.

→ If the children do not go with Jason after the session with Donna Wilburn, they will be considered hostile and/or mentally distressed and 911 will be called to

assess for their placement. Jenna may not instigate contact with the children as the no-contact period has begun. The only person to have contact with the children while they are in a treatment center is Jason, a representative of Jason, Claudia or Donna Wilburn.

If the children threaten to run away, do not physically prevent them from going. Call 911 and have police come to assess the situation. If they are at high risk for running away, the police may transport them to a behavioral health center for assessment. While mom may be informed, she is not to interfere or instigate contact with the children. Page | 4

If the children threaten to harm themselves or others, any adult present must call 911 and have them assessed for admittance to a treatment center by police or medical personnel. Once again, mom may be informed but cannot instigate contact with the children.

Once released from the treatment center, the children will be released into dad's care only. **The time in the treatment center will not be considered to be part of the 2 week period.** The 2 weeks begin after the children have been released into dad's care.

NOTE: This transition plan has been submitted to Gary Lenkeit, Nic Ponzo and Claudia Schwarz. They have given feedback and that feedback has been implemented. All of the above therapists are in support of this transition plan.

11/16/2016

Gmail - URGENT: Emergency Pick Up Order Needed



Donna Wilburn <donna.wilburn85@gmail.com>

URGENT: Emergency Pick Up Order Needed

1 message

Donna Wilburn <donna.wilburn85@gmail.com>

Wed, Nov 16, 2016 at 10:22 AM

To: "Smelling, Natalie" <deptile@clarkcountycourts.us>, Gary Lenkeit <garylenkeit@gmail.com>, Nicolas Ponzio <nponzo1@hotmail.com>, James Pengilly <jpengilly@pengillylawfirm.com>, Jason [REDACTED] <jason[REDACTED]@gmail.com>, Jenn [REDACTED] <jenn[REDACTED]@hotmail.com>, Chad Fuss <cfuss@pengillylawfirm.com>, Claudia Schwarz <claudia@1familytherapy.com>, Donna Wilburn <donna.wilburn85@gmail.com>

This email will be printed and faxed to Mr. Houston by noon today ← ???

Hello,

This is to inform the court that Jen [REDACTED] REFUSED to turn over the children to Monica (former nanny), and refused to turn the children over to the police on Saturday 11/12/16 as agreed.

It is the parent's responsibility to TURN OVER THE CHILDREN to the responsible party. Compliance with court orders are not the child's choice. Giving the child the choice and leaving compliance up to the child, is considered a strategy designed to ENTITLE the child and further damage their perception of the parent/child relationship.

If a parent is unable to ensure that a child is compliant with court orders than that parent is considered UNFIT and/or INFLUENCING the child. This behavior further justifies the necessity to transition the children AS SOON AS POSSIBLE in order to repair the damage they have experienced for 2 years.

The police will not remove a child from the home of the parent unless that parent gives them permission to do so. They were NOT GIVEN PERMISSION to remove the children by Jen [REDACTED]. The children were given the CHOICE to comply.

NOTE: I own and run an agency that treats severely disturbed children who DO NOT WANT to go into treatment. The authorities WILL remove and transport child if a parent gives them permission to do so.

Due to her resistance and/or inability to ensure compliance, it is necessary that the court issue an Emergency Pick-Up order to enable the authorities to remove the children from the home. The authorities will transport the children to Jason's home where I will be waiting to help them transition.

Respectfully,

Donna Wilburn

Donna Wilburn M.S., LMFT

Licensed Marriage & Family Therapist/ Children's Specialist
Clinical Supervisor/VP
Heads Up Guidance & Wellness Centers of Nevada
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PENGILLY LAW FIRM

1 **ORD**

2 JAMES W. PENGILLY, ESQ.

3 Nevada Bar No. 6085

4 CHAD D. FUSS, ESQ.

5 Nevada Bar No. 12744

6 PENGILLY LAW FIRM

7 1995 Village Center Circle, Suite 190

8 Las Vegas, NV 89134-0562

9 T: (702) 889-6665; F: (702) 889-6664

10 *Attorneys for Jason Kerrigan*

FAMILY COURT

CLARK COUNTY, NEVADA

11 JENNA KERRIGAN,

12 Plaintiff,

13 v..

14 JASON KERRIGAN,

15 Defendants.

CASE NO: D-10-433924-Z

DEPT. NO.: I

16 **ORDER GRANTING DEFENDANT'S EX PARTE EMERGENCY MOTION FOR PICK UP**

17 **ORDER AND SANCTIONS**

18 This matter came before the Court on November ____, 2016, for an Ex Parte Emergency
19 Motion for Pick Up Order and Sanctions. This matter was heard on the Court's chambers calendar.
20 After reviewing the pleadings and papers on file, and good cause appearing the Court finds as
21 follows:
22

23 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that the minor child, Jaxson
24 Kerrigan, born January 5, 2003, and Jordana Kerrigan, born October 23, 2006, shall be returned to
25 Jason Kerrigan's custody immediately, by and from any and all persons having physical care and
26 custody of the children, including Jenna Kerrigan.
27

28
Looks Like Jenna is found in
contempt of the same order
she was found in contempt of.

1 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that any and all law
2 enforcement personnel, of Nevada or any other jurisdiction, including METRO, be authorized and
3 directed to assist Jason Kerrigan in obtaining physical custody of the minor children and their
4 belongings, clothing and personal effects.

5 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Jenna Kerrigan is
6 found in contempt of Court for failure to obey this Court's Order to turn over custody of the children
7 to Jason Kerrigan. Jenna Kerrigan is hereby sanctioned \$ _____ for her contempt of court.
8 Additionally, Jenna is ordered to pay Jason Kerrigan's attorney's fees in preparation of the Ex Parte
9 Motion for an Emergency Pick Up Order in an amount to be determined by the Court at a future
10 date.

11 **STATUTORY PROVISIONS:**

12 **NOTICE IS HEREBY GIVEN** of the following provision of NRS 125.510(6)

13 **PENALTY FOR VIOLATION OF ORDER:** THE ABDUCTION,
14 **CONCEALMENT OR DETENTION OF A CHILD IN VIOLATION OF THIS**
15 **ORDER IS PUNISHABLE AS A CATEGORY D FELONY AS PROVIDED IN**
16 **NRS 193.130. NRS 200.359 provides that every person having a limited right of**
17 **custody to a child or any parent having no right of custody to the child who willfully**
18 **detains, conceals or removes the child from a parent, guardian or other person having**
19 **lawful custody or a right of visitation of the child in violation of an order of this court,**
20 **or removes the child from the jurisdiction of the court without the consent of either**
21 **the court or all persons who have the right to custody or visitation is subject to being**
22 **punished for a category D felony as provided in NRS 193.130.**

23 **NOTICE IS HEREBY GIVEN** that the terms of the Hague Convention of October 25,
24 1980, adopted by the 14th Session of the Hague Conference on Private International Law apply if a
25 parent abducts or wrongfully retains a child in a foreign country. The parties are also put on notice
26 of the following provisions of NRS 125.510(8):

27 If a parent of the child lives in a foreign country or has significant commitments in a
28 foreign country; (a) The parties may agree, and the court shall include in the order for
custody of the child, that the United States is the country of habitual residence of the
child for the purposes of applying the terms of the Hague Convention as set forth in
subsection 7.

(b) Upon motion of one of the parties, the court may order the parent to post a bond
if the court determines that the parent poses an imminent risk of wrongfully removing
or concealing the child outside the country of habitual residence. The bond must be

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PENGILLY LAW FIRM



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in an amount determined by the court and may be used only to pay for the cost of locating the child and returning him to his habitual residence if the child is wrongfully removed from or concealed outside the country of habitual residence. The fact that a parent has significant commitments in a foreign country does not create a presumption that the parent poses an imminent risk of wrongfully removing or concealing the child.

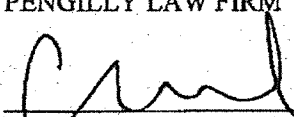
NOTICE IS HEREBY GIVEN of the following provision of NRS 125C.200:

If custody has been established and the custodial parent intends to move his residence to a place outside of this state and to take the child with him, he must, as soon as possible and before the planned move, attempt to obtain the written consent of the noncustodial parent to move the child from this state. If the noncustodial parent refuses to give that consent, the custodial parent, shall before he leaves this state with the child, petition the court for permission to move the child. The failure of a parent to comply with the provisions of this section may be considered as a factor if a change of custody is requested by the noncustodial parent.

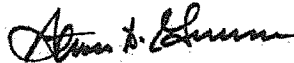
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all **NOTICE PROVISIONS** contained in this Custody Order are hereby made orders of the Court and this Court retains jurisdiction to enforce the Orders contained herein and for all purposes relative to the custody and support of the child.

Dated this **17** day of November, 2016.


FAMILY COURT JUDGE

Submitted by:
PENGILLY LAW FIRM

JAMES W. PENGILLY, ESQ.
Nevada Bar No. 6085
CHAD D. FUSS, ESQ.
Nevada Bar No. 12744
1995 Village Center Circle, Suite 190
Las Vegas, NV 89134-0562
Attorneys for Jason Kerrigan





CLERK OF THE COURT

1 **ORD**

2 **JAMES W. PENGILLY, ESQ.**

3 Nevada Bar No. 6085

4 **CHAD D. FUSS, ESQ.**

5 Nevada Bar No. 12744

6 **PENGILLY LAW FIRM**

7 1995 Village Center Circle, Suite 190

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9 T: (702) 889-6665; F: (702) 889-6664

10 *Attorneys for Jason Kerrigan*

11 **FAMILY COURT**

12 **CLARK COUNTY, NEVADA**

13 **JENNA KERRIGAN,**

14 Plaintiff,

15 v..

16 **JASON KERRIGAN,**

17 Defendants.

CASE NO: D-10-433924-Z

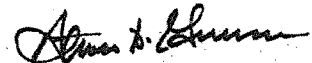
DEPT. NO.: I

18 **ORDER GRANTING DEFENDANT'S EX PARTE EMERGENCY MOTION FOR PICK UP**

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21 Motion for Pick Up Order and Sanctions. This matter was heard on the Court's chambers calendar.
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26 Jason Kerrigan's custody immediately, by and from any and all persons having physical care and
27 custody of the children, including Jenna Kerrigan.
28



CLERK OF THE COURT

ORD
JAMES W. PENGILLY, ESQ.
Nevada Bar No. 6085
CHAD D. FUSS, ESQ.
Nevada Bar No. 12744
PENGILLY LAW FIRM
1995 Village Center Circle, Suite 190
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T: (702) 889-6665; F: (702) 889-6664
Attorneys for Jason Kerrigan

FAMILY COURT

CLARK COUNTY, NEVADA

JENNA KERRIGAN,
Plaintiff,

CASE NO: D-10-433924-Z
DEPT. NO.: I

v.

JASON KERRIGAN,
Defendants.

ORDER GRANTING ADOPTION OF EMERGENCY REUNIFICATION PLAN

On October 27, 2016, this Court held an evidentiary hearing on Defendant's Motion to Adopt the Emergency Reunification Plan came on for hearing, the Honorable Judge Cheryl B. Moss presiding, Defendant Jason Kerrigan was present and represented by his counsel James W. Pengilly, Esq., Plaintiff Jenna Kerrigan was also present and represented by her counsel Joseph Houston, Esq. The Court Orders as follows:

1. Defendant's Motion for Change of Custody is Denied.
2. Defendant's reunification with the minor children shall go forward.
3. Claudia Swartz is appointed as the minor children's therapist.
4. Donna Gosnell, Nicholas Ponzo, and Dr. Gary Lenkeit shall be in an advisory capacity for the reunification process.

- 1 5. Dr. Gary Lenkeit shall continue as Parenting Coordinator for the Parties. Parties shall equally
- 2 divide Dr. Lenkeit's fees, without prejudice.
- 3 6. Donna Wilburn will be the Reunification therapist and will provide a type written logistical
- 4 plan to prepare the children, with suggested dates, times and location, Court would prefer a
- 5 neutral family member's house, prefer not Dad's house, with who will be the transition person
- 6 and the family member supervisor. Plaintiff/Mom can suggest a maternal family member. If
- 7 there is no cooperation by Mom, the alternative would be to have a self-effectuating Order to
- 8 have CPS or a Case Worker help with the transition, or a volunteer to help with the drop off
- 9 transition; Donna Gosnell, Claudia Swartz, Nicolas Ponzio, or Ms. Vlack, with CPS being the
- 10 last resort. Ms. Wilburn shall email or fax the plan to Counsel and Court and cc the team
- 11 members.
- 12 7. Parties shall cooperate with accommodating schedules.
- 13 8. Defendant/Dad shall provide Donna Wilburn with the video from today's hearing.
- 14 9. Return Hearing re: Logistical Plan SET for November 4, 2016 at 10:00 a.m.
- 15 10. Child Support, Attorney's Fees and expert fees are bifurcated.
- 16 11. Defendant/Dad shall itemize all of the expert fees and attorney's fees and supplement with a
- 17 spreadsheet.
- 18 12. Both Parties shall file updated Financial Disclosure Forms forthwith.
- 19 13. Defendant/Dad's *Brunzell* Brief is due by 11/28/2016.
- 20 14. Plaintiff/Mom's Reply Brief is due by 12/12/2016.
- 21 15. Any Oppositions are due by 12/26/2016.
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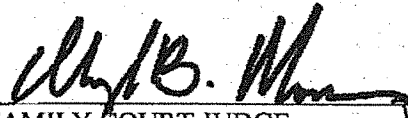
PENGILLY LAW FIRM



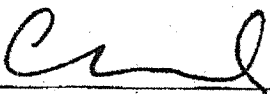
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16. The parties appeared in Court on November 4, 2016, wherein the Court ordered that Donna Wilburn's Transition Plan dated November 2, 2016 be adopted. A copy of the Transition Plan is attached hereto as **EXHIBIT 1**.

Dated this 17th day of November, 2016.


FAMILY COURT JUDGE *VR*

Submitted by:
PENGILLY LAW FIRM


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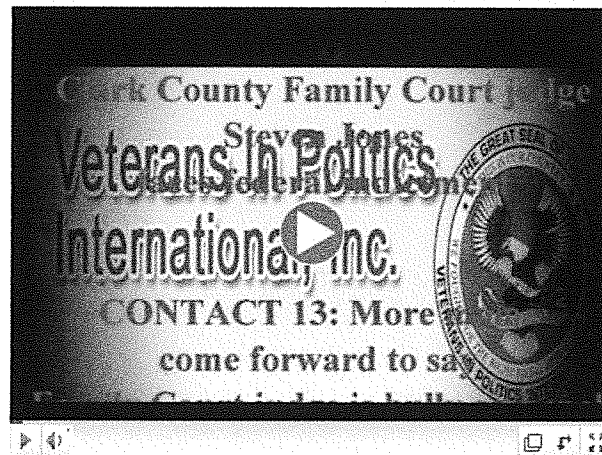
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Family Court Judge orders children to be locked up; is this the best interest of the child?



WAR declared on Clark County Nevada Family Court System

The United States legal system is based upon the principle that an independent, impartial, and competent judiciary, composed of men and women of integrity, will interpret and apply the law that governs society.

However, in the county of Clark, the legal system in the family court appears to be based on an authoritarian regime that preserves a corrupt symbiotic relationship between certain judges, attorneys and so-called experts. In other words, to say that family court judges are

competent and can interpret and apply the law, or that the judges in the family court are people of integrity, is a large cognitive leap.

It is useless to try to figure out whether a certain individual judge lacks competence, integrity, or both. The problem lies within the system itself rather than any individual judge. Throwing a robe off the bench every now and then, only creates the appearance of justice. It is the same as giving a dewormer to a parasite-infested organism without eliminating the source of the problem.

Benjamin Franklin said that justice will not be served until those who are unaffected are as outraged as those who are. Sadly, Justice in family court is long overdue. This is exactly why we declared war on family court.

If you are one of the skeptical, remarkably stupid, thick-skulled people, read no further. Otherwise, keep reading, consider the facts, and make your own conclusion.

Recently, we came across a case of the family court judge,
Cheryl Moss.



In this case, the parents were awarded joint custody of their now 10 and 14-year-old kids, when they divorced. Several years later, the children are terrified of their father, and they are not the only ones. One

of the father's post-divorce girlfriends moved out of state after he attacked her, and the father was charged with battery domestic violence.

The following year, the father got wasted at the neighborhood party and abused his kids and a new girlfriend. When the girlfriend was trying to hide and call for help. The father then barricaded the house, broke her phone, and tried preventing her from calling the police. The children witnessed the entire catastrophe.

Next, police cleared the blockade and called the children's mother. The mother picked up the children and obtained a court order granting her physical custody of the children with the father only having supervised visitations. The father was ordered to take multiple classes and counseling. When the father completed the classes and counseling, he proclaimed that he was a changed man. Since the children declined to participate in the reunification therapy, the father apparently used the emergent know-how of the father's rights movement and claimed alienation.

Specifically, he insisted on forcing reunification therapy, took the position that his actions had no influence on children's resistance to reunification therapy, and that it was the mother's fault that the children were afraid of him.

The father continued alleging alienation by the mother, yet neither of the children's counselors believed this was occurring. The therapists indicated that the children were suffering from post-traumatic stress disorder.

Furthermore, the judge appointed new experts. At the subsequent hearing, the mother's lawyer insisted that forcing reunification therapy could be a potential disaster, and presented evidence of father's reckless behavior. For example, he was arrested for DUI. Also, the father's girlfriend, the same one from the neighborhood party incident, testified that she did not notice any positive changes. In fact, the girlfriend was forced to obtain Temporary Protective Orders against him because she

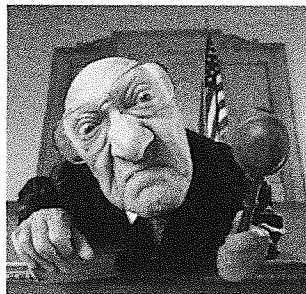
was fearful for her own safety and the safety of her son from another relationship.

Apparently, unlike the first girlfriend, she did not get the hint the first time and went back with the father for a while. The girlfriend confirmed that that the father was a violent, raging alcoholic, and a certified stalker. The father claimed that he did not remember committing any acts of violence against his children or girlfriends and that he had no recollection of his girlfriend getting protective orders against him. He insisted that the mother alienated the children.

Furthermore, the new reunification therapist gave her valuable insight on parental alienation at the hearing, and made recommendations after seeing the children for only 15-20 minutes each.

Judge Moss stated that it was in the children's best interests to be reunified with Dad. The judge ordered the new reunification therapist to provide a typewritten logistical plan to prepare the children with suggested dates and times.

The [plan] ended up being a scheme to bypass the mother's due process rights. Judge Moss executed the scheme and made it appeal-proof, since it was temporary.



Click onto links below:

Donna's Plan

Emergency Pick Up Order Needed

FIRST, Judge Moss delegated her job to a squadron of pricey shrinks and the father's lawyer.

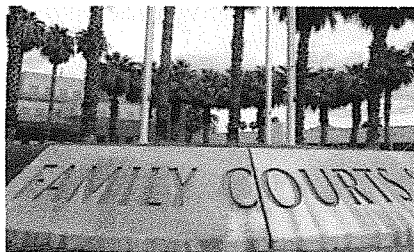
SECOND, the judge further changed custody of the children from mother to abusive father de facto, "for reunification purposes" without "technically" changing it. Since the judge adopted the reunification plan, the mother was essentially diagnosed with "pathogenic parenting" without any legitimate basis. Since the judge adopted the plan as an order, also eliminated judicial review process and precluded the mother from examining a "witness against her".

THIRD, not only had judge delegated her judicial authority to the therapist and granted the therapist the right to grant unsupervised visitations to the father, but the therapist in turn delegated this authority to the father: "[Dad] will rate the children's behavior each day using the behavior rating scale provided by [therapist]...If symptoms are still present [,] supervised visits will not begin [with the mother.]" Therefore, it would be to father could simply say that the children are not responding well, and they would never, by the therapist's recommendation, be returned to their mother, and custody would be changed forever without any right of the mother to have access to the children or even "confront the witness against her."

FORTH, Judge Moss allowed ex parte communication from the therapist, and condoned exclusion of mother's counsel from all communications. In fact, Moss even made orders not to require review of the orders by mother's lawyer. When the children refused to go to father, the therapist wrote an e-mail to court giving directions to the judge. The therapist requested emergency pick up order, and explained that compliance with the court orders is not the child's choice. The therapist also wrote that if a parent is unable to ensure that their child is compliant with court orders "then this parent is considered unfit." The e-mail was sent to everyone except mother's lawyer.

Fifth, Judge Moss summarily found mother in criminal contempt of an order that did not exist, and levied sanctions without a hearing.

Finally, Moss made the proceedings inexpensive for the father. She gave a signed order to the father's attorney with a blank space for him to fill out, essentially giving him carte blanche freedom to fill in empty space in and get attorney's fees that he wanted "ordered".



Click onto the order below:

Judge Moss Order

Unfortunately, the pattern of "maybe accidental" mistakes that Judge Moss made did not stop here. The judge also signed orders directing multiple third parties, including law enforcement, to remove the children from mother's house. Apparently, her orders did not work since the judge does not have personal jurisdiction over certain third parties.

Thus, a contempt hearing was scheduled. Obviously, the judge could not proceed, because there were no legitimate orders or orders to show cause issued. However, after the hearing was over, the judge ordered the mother to stay in the court room, and told court Marshall to make sure that the mother doesn't leave.

Thus, the mother was falsely imprisoned for hours. During this time, the father attempted to pick up the children from school. The children did not want to go with the father, so Judge Moss initiated an order placing the children in Child Haven.

Judge Moss did not have jurisdiction to issue such orders, but she easily overcame the hurdle and obtained the order from Judge Frank Sullivan, who had jurisdiction over juvenile cases.

Fortunately, the Chief Deputy District Attorney found out what happened and scheduled a hearing. Judge Sullivan finally conceded that he had no jurisdiction over these children, and they were finally ordered to be releases.

Without a question, Moss administered efficient, speedy, and inexpensive (for one of the parties) determination in child custody case, just as described by the standard phrase that the family court judges use in their journal of entries. (Shown) Apparently, the original authors of the phrase failed to foresee possible decline in judicial acumen, and omitted certain words from the references to the rules, such as "just" and "administration of justice". They must've been thinking: "it is written to be used in court, DUH."

We could follow the established trend in the country of Clark County, and blame anyone and anything except the person responsible for the problem. In this case, we could simply say that the original author of the "journal entry" phrase should be held accountable for their negligence and the unfortunate outcome of this case, since certain judges take that phrase at face value and conduct their proceedings accordingly.

We could have said that the authors should have known better, and included the words "just" and "administration of justice" to refresh judicial recollection.

However, we are outraged, and refuse to ignore the obvious. Reprimanding a "Judge Wanker" while allowing other wanker judges to go on with their usual business and give out orders as a "courtesy" to certain people at the expense of the innocent families is unacceptable, and it must stop.

Everyone who refuses to speak up against corruption is just as guilty as the corrupt.

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