

EUREKA COUNTY, NV

This is a no fee document

NO FEE

STATE OF NEVADA

**2019-239509**

**09/19/2019 12:59 PM**

Pgs=7



00006413201902395090070071

LISA HOEHNE, CLERK RECORDER

**RECORDING REQUESTED BY AND RETURN TO:**

**ELKO PROGRAM AREA OFFICE  
CHILD SUPPORT ENFORCEMENT  
1020 RUBY VISTA DRIVE, #101  
ELKO, NV 89801**

**RECOMMENDATION FOR ORDER  
AND NOTICE OF ENTRY OF ORDER**

**\*This is a cover page that only the Eureka County Recorders Office will use to record the above named document. Do not file stamp this cover sheet. Only attach this form to the front of the Order and Notice of Entry of Order form that will be given to the recorders office.**

FILED

CASE NO. DR-UI-19-322

DEPT. NO. 2

2019 SEP -6 PM 1:47

ELKO DISTRICT COURT

CLERK \_\_\_\_\_ DEPUTY 

**FOURTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**

**IN AND FOR THE COUNTY OF ELKO**

**FAMILY DIVISION**

DIVISION OF WELFARE AND  
SUPPORTIVE SERVICES and  
HEATHER NICOLE ANDERSON,

**RECOMMENDATION FOR ORDER  
AND NOTICE OF ENTRY OF ORDER**

Obligee,

vs.

AITOR YOSU ESKANDON,

Obligor.

This matter was heard on August 12, 2019 before the Court Master with the following persons present:

Plaintiff/Obligee:

( x ) Present ( ) Not Present

Presented by: Kristina Guerrero, Caseworker  
*By Video Conference*  
Nevada State Welfare Division  
Child Support Enforcement

Represented by:  
No attorney present

Defendant/Obligor:

( x ) Present ( ) Not Present

Represented by:  
No attorney present

After considering all of the evidence, the Master hereby makes the following Findings and Recommendations:

**FINDINGS OF FACTS AND CONCLUSIONS OF LAW:** This was a hearing on an Amended Notice and Finding of Financial and Parental Responsibility filed on July 2, 2019 for purposes of establishing paternity, child support, arrearages, and to order health insurance coverage and income withholding for the support of the child: Noah Reese Eskandon, born June 4, 2016. Ms. Anderson and the child reside in the State of Nevada, and the State of Nevada has continuing exclusive jurisdiction pursuant to the Full Faith and Credit Support Orders Act (28 U.S.C. 1738(b)).

The parties were sworn and advised of their right to counsel. Both Mr. Eskandon and

Ms. Anderson waived the presence of counsel.

Mr. Eskandon is the father of Noah Reese Eskandon. Mr. Eskandon is employed where he makes approximately \$4,564.43 in gross monthly income. Mr. Eskandon further testified that he has no other biological children to support, and that medical insurance for the child is available through his employment at an additional cost to him of approximately \$147.02 per month.

Child support for one (1) child under NRS 125B.070 is set at 18% of the Obligor's gross monthly income. Based on Mr. Eskandon's gross monthly income of \$4,564.43, 18% calculates to \$821.60. Effective July 1, 2018, the presumptive maximum amount is \$781.00 per child, based on Mr. Eskandon's income. The mandatory minimum child support amount is \$100.00 per child, per month.

Child support for one (1) child under NRS 125B.070 is set at 18% of the Obligor's gross monthly income. Based on Mr. Eskandon's gross monthly income of \$4,564.43, 18% calculates to \$821.60. Effective July 1, 2019, the presumptive maximum amount is \$800.00 per child, based on Mr. Eskandon's income. The mandatory minimum child support amount is \$100.00 per child, per month.

A Court has limited discretion to deviate from statutory child support guidelines. Having considered the deviation factors under NRS 125B.080, the Court finds that deviation should be made for the following factors: 1) one-half of the cost of the child's portion of the medical insurance premium. The Court will provide the Obligor with an offset of \$73.51 based upon the medical insurance premium paid by the Obligor for the dependent child [ $\$781.00 - \$73.51 = \$707.49$ ] [ $\$800.00 - \$73.51 = \$726.49$ ]. Based on the evidence presented, the Court finds that ongoing support should be set at \$726.49 per month effective September 1, 2019.

According to the arrears worksheet filed herein, arrearages are being requested from May 1, 2019 through August 31, 2019. The Court determines arrearages should be set in the amount of \$2,867.96, and a Judgment for arrearages should be entered in the amount of \$2,867.96 [ $\$1,414.98$  (monthly obligation amount of \$707.49 multiplied by two months) +  $\$1,452.98$  (monthly obligation amount of \$726.49 multiplied by two months) = \$2,867.96]. Interest on arrears has accrued in the amount of \$0.00 and penalties in the amount of \$0.00 through August 31, 2019.

#### RECOMMENDED ORDERS:

1. (x) The Obligor is the father of the following child:

<u>NAME</u>	<u>D.O.B.</u>
Noah Reese Eskandon	June 4, 2016

2. (x) A Judgment is entered against Obligor for child support arrears in the amount of \$2,867.96 from May 1, 2019 through August 31, 2019. A Judgment is entered against Obligor for interest on child support arrears in the amount of \$0.00 from May 1, 2019 through August 31, 2019. A Judgment is entered against Obligor for penalties on child support arrears in the amount of \$0.00 from May 1, 2019 through August 31, 2019. These amounts shall be paid at \$100.00 a month starting September 1, 2019 until paid in full.

3. (x) The Obligor shall pay \$726.49 per month in ongoing support beginning September 1, 2019 and on the same day each month thereafter until further order of this Court.

1 All payments MUST be in the form of a cashier's check or money order ONLY. Effective  
2 August 1, 2000, all child support payments must be payable to State Collection and  
3 Disbursement Unit (SCaDU) and mailed to: SCaDU, P.O. Box 98950, Las Vegas, NV  
4 89193-8950.

5 **NOTICE: NO CREDIT WILL BE GIVEN FOR PAYMENTS PAID DIRECTLY**  
6 **TO THE OBLIGEE OR THE CHILD.**

7 Additionally, the Obligor MUST place his social security number on each payment.

8 Effective January 1, 2004, simple interest will accrue on all unpaid child support balances  
9 for cases with a Nevada controlling order pursuant to NRS 99.040. Interest assessed by a  
10 judgment of the court prior to January 1, 2004 will be enforced.

11 A 10% penalty will be assessed on each unpaid installment, or portion thereof, of an  
12 obligation to pay support for a child, pursuant to NRS 125B.095.

13 If you pay your child support through income withholding and your full obligation is not  
14 met by the amount withheld by your employer, you are responsible to pay the difference  
15 between your court ordered obligation and the amount withheld by your employer directly  
16 to the state disbursement unit. If you fail to do so you will be subject to the assessment of  
17 penalties and interest.

18 **YOU MAY AVOID THESE ADDITIONAL COSTS BY MAKING YOUR CURRENT**  
19 **CHILD SUPPORT PAYMENTS EACH MONTH.**

20 4. (x) The Obligor shall provide health insurance, including medical, dental, orthodontic  
21 and ophthalmological coverage for the child if available through his employment  
22 at a reasonable cost, including any group health plan(s) under ERISA, from the  
23 date of this order on and until said child is no longer eligible for said coverage,  
24 and both parties shall cooperate and provide assistance in obtaining payment for  
25 health care services. You are required to notify the Child Support Enforcement  
26 Office when health insurance coverage is available or has been terminated.

27 Last known mailing address of Obligor: Address Confidential

28 Last known mailing address of child: Address Confidential

5. (x) The Obligor shall pay health care expenses, including medical, dental,  
orthodontic, and ophthalmological services for the child as follows: one half of  
all costs not covered by insurance, upon being provided by Obligee with adequate  
documentation/billing regarding said expenses and any EOB or other insurance  
payment documentation.

6. (x) The Obligor shall notify the State Child Support Office or the District Attorney's  
Child Support Office of any change of address or employment within ten (10)  
days.

7. (x) A wage/income withholding shall be issued starting immediately.

8. Pursuant to NRS 125B.145 this Order may be reviewed every three (3) years and is  
subject to future modifications.

- 1 9. Unless a stay of this Order is obtained from District Court, all enforcement procedures  
2 including, but not limited to wage withholding, garnishment, liens and the attachment of  
3 federal income tax returns will be undertaken upon entry of this Order.
- 4 10. If any determination of paternity in this Order is at variance with the child's birth  
5 certificate issued in this state, a new birth certificate is to be issued pursuant to NRS  
6 440.325.
- 7 11. Both parties shall notify the District Attorney's Office, Child Support Enforcement  
8 Agency in WRITING of any change of address, change of telephone number, change of  
9 employment, change of custody, access to health insurance coverage or change in health  
10 insurance policy information, or entry of any other Order relative to child support.

11 **SO RECOMMENDED** this 14<sup>th</sup> day of August, 2019.

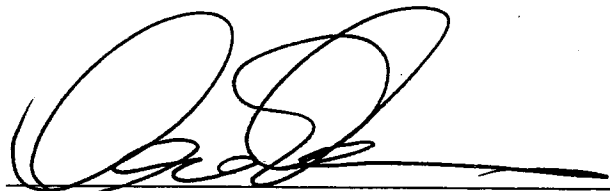


12 ANDREW M. MIERINS  
13 FAMILY COURT MASTER  
14 FOURTH JUDICIAL DISTRICT COURT

15  
16  
17 **NOTICE OF RIGHT OF APPEAL**

18 **Objections and/or Appeals of a Court Master's recommendations are governed by**  
19 **NRS 425.3844. You have ten (10) days from receipt of this recommendation to file written**  
20 **objections with the District Court, and to serve a copy of those objections upon the parties**  
21 **to this action. A courtesy copy of the filed objections must also be provided to the Court**  
22 **Master's Office. A failure to file and serve written objections within said time, as required,**  
23 **will result in a final Judgment being ordered by the District Court.**

24 DATED: August 14, 2019.



25 ANDREW M. MIERINS  
26 FAMILY COURT MASTER  
27 FOURTH JUDICIAL DISTRICT COURT

**ORDER/JUDGMENT**

       The Clerk of the Court, or his/her deputy, by their initialing this section, has reviewed the District Court's file and has determined that no objection has been filed within the ten (10) day objection period. Therefore, the Recommendation for Order is deemed approved pursuant to NRS 425.3844. The affixing of the Clerk of the Court's file stamp to the Recommendation for Order signifies the ten-day objection period has expired without an objection having been filed and that the Fourth Judicial District Court deems the Recommendation for Order approved as a Judgment and Order of the Fourth Judicial District Court, effective with the file stamp date, without need of a District Court Judge's signature affirming the Recommendation for Order. The parties are ordered to comply with this Judgment and Order.

       An objection to this Master's Findings and Recommendations was filed on       . A District Court Judge must review this Master's Findings and Recommendations to determine whether it will become effective.

CENTRAL COUNTY  
DISTRICT COURT  
FILED AND RECORDED  
OFFICE OF THE CLERK OF THE DISTRICT COURT

13 - Sept 2019

*John J. Gallman*

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that I am an employee of the Fourth Judicial District  
3 Court, and that on this 15 day of August, 2019, I personally hand delivered a true and  
4 correct copy of the foregoing Recommendation for Order to:

5 Kristina Guerrero, Caseworker  
6 Nevada State Welfare Division  
7 Child Support Enforcement  
8 1020 Ruby Vista Drive #101  
9 Elko, NV 89801  
10 [Box in Clerk's Office]

District Court Judge  
Department 2  
[Hand Delivery]

11 mgl

12 **CERTIFICATE OF MAILING**

13 Pursuant to NRCP 5(b), I certify that I am an employee of the Fourth Judicial District  
14 Court, and that on this 15 day of August, 2019, I deposited for mailing in the U.S. Mail at  
15 Elko, Nevada, postage prepaid, a true and correct copy of the foregoing Recommendation for  
16 Order addressed as follows:

17 AITOR YOSU ESKANDON  
18 Address Confidential

19 HEATHER NICOLE ANDERSON  
20 Address Confidential

21 mgl