

EUREKA COUNTY, NV

2019-239509

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STATE OF NEVADA

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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**

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FILED

1 CASE NO. DR-UI-19-322

2019 SEP -6 PM 1:47

2 DEPT. NO. 2

ELKO DISTRICT COURT

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CLERK _____ DEPUTY 

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FOURTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

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IN AND FOR THE COUNTY OF ELKO

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FAMILY DIVISION

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DIVISION OF WELFARE AND
9 SUPPORTIVE SERVICES and
10 HEATHER NICOLE ANDERSON,

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

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Obligee,

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vs.

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13 AITOR YOSU ESKANDON,

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Obligor.

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_____ /

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

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Plaintiff/Obligee:
18 (x) Present () Not Present

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

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Represented by:
No attorney present

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Defendant/Obligor:
21 (x) Present () Not Present

Represented by:
No attorney present

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

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FINDINGS OF FACTS AND CONCLUSIONS OF LAW: This was a hearing on an
25 Amended Notice and Finding of Financial and Parental Responsibility filed on July 2, 2019 for
26 purposes of establishing paternity, child support, arrearages, and to order health insurance
27 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)).

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

1 Ms. Anderson waived the presence of counsel.

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

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

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

17 A Court has limited discretion to deviate from statutory child support guidelines. Having
18 considered the deviation factors under NRS 125B.080, the Court finds that deviation should be
19 made for the following factors: 1) one-half of the cost of the child's portion of the medical
20 insurance premium. The Court will provide the Obligor with an offset of \$73.51 based upon the
21 medical insurance premium paid by the Obligor for the dependent child [$\$781.00 - \$73.51 =$
22 $\$707.49$] [$\$800.00 - \$73.51 = \726.49]. Based on the evidence presented, the Court finds that
23 ongoing support should be set at \$726.49 per month effective September 1, 2019.

24 According to the arrears worksheet filed herein, arrearages are being requested from May
25 1, 2019 through August 31, 2019. The Court determines arrearages should be set in the amount
26 of \$2,867.96, and a Judgment for arrearages should be entered in the amount of \$2,867.96
27 [$\$1,414.98$ (monthly obligation amount of \$707.49 multiplied by two months) + $\$1,452.98$
28 (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.

19 **RECOMMENDED ORDERS:**

20 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

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22
23 2. (x) A Judgment is entered against Obligor for child support arrears in the amount of
24 \$2,867.96 from May 1, 2019 through August 31, 2019. A Judgment is entered
25 against Obligor for interest on child support arrears in the amount of \$0.00 from
26 May 1, 2019 through August 31, 2019. A Judgment is entered against Obligor for
27 penalties on child support arrears in the amount of \$0.00 from May 1, 2019
28 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

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

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

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

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

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

SO RECOMMENDED this 14th day of August, 2019.



ANDREW M. MIERINS
FAMILY COURT MASTER
FOURTH JUDICIAL DISTRICT COURT

NOTICE OF RIGHT OF APPEAL

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

DATED: August 14, 2019.



ANDREW M. MIERINS
FAMILY COURT MASTER
FOURTH JUDICIAL DISTRICT COURT

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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.

CLERK OF DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CLERK OF DISTRICT COURT
OF THE STATE OF NEVADA
13 - Sept 2019
K. J. Salzman

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CERTIFICATE OF SERVICE

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

Kristina Guerrero, Caseworker	District Court Judge
Nevada State Welfare Division	Department 2
Child Support Enforcement	[Hand Delivery]
1020 Ruby Vista Drive #101	
Elko, NV 89801	
[Box in Clerk's Office]	

mje

CERTIFICATE OF MAILING

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

AITOR YOSU ESKANDON
Address Confidential

HEATHER NICOLE ANDERSON
Address Confidential

mje