

EUREKA COUNTY, NV
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CHILD SUPPORT ENFORCEMENT



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KATHERINE J. BOWLING, 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 Recommendation for Order and Notice of Entry of Order form that will be given to the recorders office.**

FILED

1 CASE NO. DC-FM-22-170

2022 NOV 17 AM 11:34

2 DEPT. NO. 1

4th JUDICIAL DISTRICT COURT
CLERK _____ DEPUTY *CS*

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6 **FOURTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
7 **IN AND FOR THE COUNTY OF ELKO**
8 **FAMILY DIVISION**

9 DIVISION OF WELFARE AND
10 SUPPORTIVE SERVICES and
11 SHARICE ELAINE HONEYESTEWA,

Obligee,

RECOMMENDATION FOR ORDER

12 vs.

13 FREDDIE LAMONT JENKINS,

Obligor.

14
15
16 **NOTICE: If you want to adjust the amount of child support established in this**
17 **order, you MUST file a motion to modify the order with or submit a**
18 **stipulation to the court. If a motion to modify the order is not filed or a**
19 **stipulation is not submitted, the child support obligation established by this**
20 **order will continue until such time as all children who are the subject of this**
21 **order reach 18 years of age or, if the youngest child who is subject to this**
22 **order is still in high school when he or she reaches 18 years of age, when**
23 **the child graduates from high school or reaches 19 years of age, whichever**
24 **comes first. Unless the parties agree otherwise in a stipulation, any**
25 **modification made pursuant to a motion to modify the order will be effective**
26 **as of the date the motion was filed.**

27 This matter was heard on September 12, 2022 before the Court Master with
28 the following persons present:

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

Presented by: Sally Bangen, Caseworker
By Video Conference
Nevada State Welfare Division
Child Support Enforcement
Represented by:
No attorney present

Defendant/Obligor:

1 (x) Present () Not Present

Represented by:
No attorney present

2

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

5 **FINDINGS OF FACTS AND CONCLUSIONS OF LAW:** This was a hearing
6 on a Notice and Finding of Financial and Parental Responsibility filed on May 6,
7 2022 for purposes of establishing paternity, child support, arrearages, and to
8 order health insurance coverage and income withholding for the support of the
9 child: Emma Honeyestewa, born August 2, 2021. Ms. Honeyestewa and the child
10 reside in the State of Nevada, and the State of Nevada has continuing exclusive
11 jurisdiction pursuant to the Full Faith and Credit Support Orders Act (28 U.S.C.
12 1738(b)). This is an establishment case.

8

9 The parties were sworn and advised of their right to counsel. Both Mr.
10 Jenkins and Ms. Honeyestewa waived the presence of counsel.

11 Mr. Jenkins is the father of Emma Honeyestewa. The results from a
12 paternity test dated August 11, 2022 indicate 99.99% probability of paternity. Mr.
13 Jenkins is currently unemployed. He indicated that he was terminated from his last
14 employment for drinking at work. He is currently seeking employment but there are
15 no available jobs where he resides. He is trading handyman work for room and
16 board and has applied for Medicaid and food stamps. There is no evidence the
17 Obligor is disabled or otherwise unable to work. Previous earnings for Mr. Jenkins
18 indicate he is capable of earning approximately \$2,960.98 in gross monthly
19 income. Mr. Jenkins further testified that he has two other biological children to
20 support, and that medical insurance for the child is not available through his
21 employment. The Oblige indicated the child is enrolled in Medicaid and is eligible
22 for services through IHS. The parties indicated that they do not have child care
23 expenses.

24 The legislature has determined that a parent has a duty to meet the basic
25 needs of a child by paying child support whenever that child is not in that parents'
26 care. The Child Support Obligation of Low-Income Payers based upon the 2022
27 Federal Poverty Guidelines is to be used when a parent is capable of earning an
28 income but for various reasons, either is unemployed or underemployed; the Court
finds in this matter, the Obligor was unemployed commencing September 1, 2022
and will impute income to the Obligor based on his previous earnings of \$2,960.98
per month.

29 Child support for one (1) child under NRS 425.620, NAC 425.140, and NAC
30 425.145 is set at 16% of the first \$6,000.00 of the Obligor's gross monthly income,
31 plus 8% of the Obligor's income between \$6,000.01 and \$10,000.00, plus 4% of
32 the Obligor's income over \$10,000.01. Based on Mr. Jenkins's monthly income of
33 \$2,960.98, 16% of \$2,960.98 calculates to \$473.76.

24

25 A Court has limited discretion to depart from statutory child support
26 guidelines. Having considered the adjustment factors under NAC 425.150, the
27 Court finds that an adjustment should be made for the following factors: 1) Mr.
28 Jenkins's legal obligation to support another biological child. The Court will
provide the Obligor with an offset of \$148.05 per month based upon his legal
obligation to support two other biological children [$\$473.76 - \$148.05 = \$325.71$].

28

1 Based on the evidence presented, the Court finds that ongoing support should be
2 set at \$325.71 per month effective September 1, 2022.

3 According to the arrears worksheet filed herein, arrearages are being
4 requested from April 1, 2022 through August 31, 2022. The Court determines
5 arrearages should be set in the amount of \$1,628.55, and a Judgment for
6 arrearages should be entered in the amount of \$1,628.55. Interest on arrears has
7 accrued in the amount of \$0.00 and penalties in the amount of \$0.00 through
8 August 31, 2022.

9 **ORDERS:**

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

<u>NAME</u>	<u>D.O.B.</u>
Emma Honeyestewa	August 2, 2021

11 2. (x) A Judgment is entered against Obligor for child support arrears in
12 the amount of \$1,628.55 from April 1, 2022 through August 31, 2022.
13 A Judgment is entered against Obligor for interest on child support
14 arrears in the amount of \$0.00 from April 1, 2022 through August 31,
15 2022. A Judgment is entered against Obligor for penalties on child
16 support arrears in the amount of \$0.00 from April 1, 2022 through
17 August 31, 2022. These amounts shall be paid at \$75.00 a month
18 starting September 1, 2022 until paid in full.

19 3. (x) The Obligor shall pay \$108.00 for paternity testing. This shall be
20 paid at \$5.00 per month starting September 1, 2022 until paid in full.

21 4. (x) The Obligor shall pay \$325.71 per month in ongoing support
22 beginning September 1, 2022 and on the same day each month
23 thereafter until further order of this Court.

24 5. (x) The Obligor shall pay \$0.00 per month in ongoing medical cash
25 support beginning September 1, 2022 and on the same day each
26 month thereafter until further order of this Court.

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

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

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

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

1 If you pay your child support through income withholding and your full
2 obligation is not met by the amount withheld by your employer, you are
3 responsible to pay the difference between your court ordered obligation and
4 the amount withheld by your employer directly to the state disbursement
5 unit. If you fail to do so you will be subject to the assessment of interest.

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

8 6. (x) The Obligee shall provide health insurance, including medical,
9 dental, orthodontic and ophthalmological coverage for the child if
10 available through her employment at a reasonable cost, including
11 any group health plan(s) under ERISA, from the date of this order on
12 and until said child is no longer eligible for said coverage, and both
13 parties shall cooperate and provide assistance in obtaining payment
14 for health care services. You are required to notify the Child Support
15 Enforcement Office when health insurance coverage is available or
16 has been terminated.

17 Last known mailing address of Obligor: *Address Confidential*

18 Last known mailing address of child: *Address Confidential*

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

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

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

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

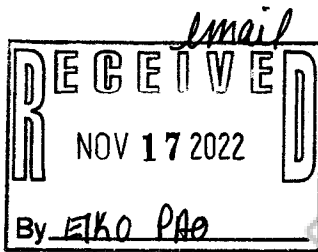
12 11. Unless a stay of this Order is obtained from District Court, all enforcement
13 procedures including, but not limited to wage withholding, garnishment,
14 liens and the attachment of federal income tax returns will be undertaken
15 upon entry of this Order.

16 12. If any determination of paternity in this Order is at variance with the child's
17 birth certificate issued in this state, a new birth certificate is to be issued
18 pursuant to NRS 440.325. Therefore, pursuant to NRS 126.161 and NRS
19 126.221, EMMA HONEYESTEWA's birth certificate shall be amended to

1 add **FREDDIE LAMONT JENKINS** as **EMMA HONEYESTEWA's** father.

- 2 13. Both parties shall notify the Child Support Enforcement Agency in
3 WRITING of any change of address, change of telephone number, change
4 of employment, change of custody, access to health insurance coverage or
5 change in health insurance policy information, or entry of any other Order
6 relative to child support.

7 **SO RECOMMENDED** this 15th day of November, 2022.



10 *Michelle Rodriguez*
MICHELLE RODRIGUEZ
FAMILY COURT MASTER
FOURTH JUDICIAL DISTRICT COURT

11
12 **NOTICE OF RIGHT TO OBJECT**

13
14 **Objections to Court Master's Recommendations are governed by NRS**
15 **425.3844. You have ten (10) days from receipt of this recommendation to file**
16 **written objection with the District Court, and to serve a copy of those**
17 **objections upon the parties to this action. A courtesy copy of any filed**
18 **notice must comply with NRS 425.3844(2) and also be provided to the court**
19 **master's office. A failure to file and serve written objections within said time,**
20 **as required, will result in a final judgment being ordered by the district court.**
21 **Objections must be filed at the Court Clerk's Office located at 550 Court**
22 **Street, Third Floor Elko County Annex, Elko, Nevada, 89801.**

23 DATED: November 15th, 2022.

24 *Michelle Rodriguez*
MICHELLE RODRIGUEZ
FAMILY COURT MASTER
FOURTH JUDICIAL DISTRICT COURT

25
26 CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

27 13 day of Dec, 2022
Kristine Jakeman
28 CLERK

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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 17 day of November, 2022, I personally served in the manner and to the address marked below, a true and correct file stamped copy of the foregoing Recommendation For Order on:

Sally Bangen, Caseworker
Nevada State Welfare Division
Child Support Enforcement
[\[elkopaocsu@dwss.nv.gov\]](mailto:elkopaocsu@dwss.nv.gov)

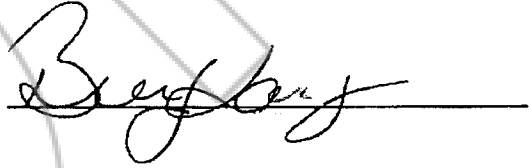
Via email Via US Mail Via Hand Delivery

FREDDIE LAMONT JENKINS
4020 Eureka Ave.
Crescent Valley, Nevada 89821

Via email Via US Mail Via Hand Delivery

SHARICE ELAINE HONEYESTEWA
553 Toiyabe Street
Elko, Nevada 89801

Via email Via US Mail Via Hand Delivery



1 CASE NO. DC-FM-22-170
2 DEPT. NO. 1

3200212981

FILED

2022 DEC -8 PM 1:37

ELKO CO DISTRICT COURT

CLERK _____ DEPUTY *g*

6 **FOURTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
7 **IN AND FOR THE COUNTY OF ELKO**
8 **FAMILY DIVISION**

9 DIVISION OF WELFARE AND
10 SUPPORTIVE SERVICES and
11 SHARICE ELAINE HONEYESTEWA,

Obligee,

**ORDER AND NOTICE
OF ENTRY OF ORDER**

12 vs.

13 FREDDIE LAMONT JENKINS,

Obligor.

14
15 **PLEASE TAKE NOTICE** that on November 17, 2022, the Court Master
16 filed a Recommendation for Order in the above entitled matter, and said
17 Recommendation for Order was properly served. Court Staff has reviewed the
18 District Court's file and has determined that no objection has been filed within the
19 ten (10) day objection period in NRS 425.3844.

20 Therefore, the Recommendation for Order is deemed approved pursuant to
21 NRS 425.3844 (3)(a). The affixing of the Clerk of the Court's file stamp to this
22 Order signifies the ten-day objection period has expired without an objection
23 having been filed and that the Fourth Judicial District Court deems the
24 Recommendation for Order approved as a Judgment and Order of the Fourth
25 Judicial District Court, effective with the file stamp date, without need of a district
26 court judge's signature affirming the Recommendation for Order.

27 **IT IS HEREBY ORDERED** that the Master's Findings and
28 Recommendations filed on November 17, 2022, are affirmed and adopted,

1 pursuant to NRS 425.3844. The parties are ordered to comply with this Judgment
2 and Order.

3 **NOTICE OF ENTRY OF ORDER**

4
5 TO: FREDDIE LAMONT JENKINS, Obligor

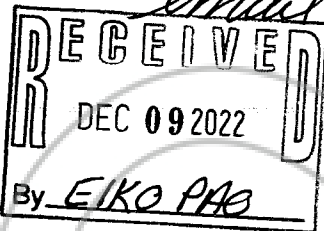
6 TO: NEVADA STATE WELFARE DIVISION CHILD SUPPORT
7 ENFORCEMENT and SHARICE ELAINE HONEYESTEWA, Obligee

8 YOU, AND EACH OF YOU, PLEASE TAKE NOTICE that on the
9 day of November, 2022, the ORDER set forth above, was entered and filed in the
10 records of the Clerk of the above-entitled Court.

11 DATED: December 8, 2022.

12 
13 COURT STAFF

14 Fourth Judicial District Court



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25 CERTIFIED COPY
26 DOCUMENT ATTACHED IS A
27 TRUE AND CORRECT COPY
28 OF THE ORIGINAL ON FILE

13 day of Dec, 2022

Kristene Jakeman

CLERK

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 8 day of December, 2022, I personally served in the manner and to the address marked below, a true and correct copy of the foregoing Order on:

Sally Bangen, Caseworker
Nevada State Welfare Division
Child Support Enforcement
[elkopaocsu@dwss.nv.gov]

Via email Via US Mail Via Hand Delivery

FREDDIE LAMONT JENKINS
4020 Eureka Ave.

Crescent Valley, Nevada 89821

Via email Via US Mail Via Hand Delivery

SHARICE ELAINE HONEYESTEWA
553 Toiyabe Street
Elko, Nevada 89801

Via email Via US Mail Via Hand Delivery



Ben Lay