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Jan 09 2019 03:21 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

IN THE FAMILY DIVISION
OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

ALEXANDER M FALCONI,
Appellant,

vs.

ANN

Respondent.

Case No.: FV08-03200

Dept No.: 13

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that Petitioner, Alexander M. Falconi, appearing in proper person, hereby appeals the *Order Denying September 5, 2018 Motion* entered December 6, 2018 to the Supreme Court of Nevada.

AFFIRMATION¹: This document does not contain the social security number of any person.

DATED this December 30, 2018.

/s/ Alexander M. Falconi
Alexander M. Falconi
Pro Se

¹ This affirmation is in accordance with NRS 239B.030.

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Ann

/s/ Alexander M. Falconi
 Alexander M. Falconi
Pro Se

Code: 1310E

1 [REDACTED] oni
2 [REDACTED]
3 [REDACTED]
4 on

6 IN THE FAMILY DIVISION
7 OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
8 IN AND FOR THE COUNTY OF WASHOE

8 ALEXANDER M FALCONI,
9 Petitioner,

10 vs.

11 [REDACTED] ANN [REDACTED]
12 Respondent.

} Case No.: FV08-03200

} Dept No.: 13

13 **CASE APPEAL STATEMENT**

14 COMES NOW, Petitioner, Alexander M. Falconi, appearing in proper person, and
15 pursuant to NRAP 3(a)(1), respectfully presents his case appeal statement.

- 16 1. Alexander M. Falconi, Petitioner above-named, is the Appellant filing this case
17 appeal statement.
18
19 2. The Honorable Bridgett Robb, Second Judicial District Court, Family Division,
20 is the district judge who issued the decision wherefrom this appeal arises.
21
22 3. The parties who were involved in the district court proceedings wherefrom this
23 appeal arises are as follows:
24 a. Alexander M. Falconi, Petitioner; and,
25 b. [REDACTED] Ann [REDACTED] Respondent.
26
27 4. The parties involved in this appeal are:
28 a. Alexander M. Falconi, Appellant; and,
b. [REDACTED] Ann [REDACTED] Respondent.

- 1 5. Counsel are not involved in this appeal.
- 2 6. Appellant was not being represented by retained counsel in the district court
- 3 proceedings.
- 4 7. Appellant is not being represented by retained counsel in this appeal.
- 5 8. Appellant was not granted leave to proceed *in forma pauperis* by the district
- 6 court.
- 7 9. The above-entitled district court proceedings commenced with filing of *Motion*
- 8 *For Designation Of Entitlement To Property Held In The Custody Of The*
- 9 *Unclaimed Property Division And For Hearing To Examine State Collection*
- 10 *And Disbursement Unit* filed September 05, 2018.
- 11 10. This appeal arises on two questions of law. Whether a judgment creditor must
- 12 exhaust administrative remedies before serving a *writ* of garnishment or
- 13 execution on the Secretary of State's Unclaimed Property Division, and if so,
- 14 whether the Court erred in refusing to provide the statutory relief requested;
- 15 and, whether a judgment creditor can examine the State Collection and
- 16 Disbursement Unit for the purposes of discovering employee-depositor
- 17 information necessary for satisfying judgment by execution.
- 18 11. This case has previously been the subject of an appeal to the Supreme Court of
- 19 Nevada. *Falconi v.* [REDACTED] SCN 57516 (affirmed); *Falconi v.* [REDACTED] SCN
- 20 64551 (dismissed); *Falconi v.* [REDACTED] SCN 69341 (reversed); *Falconi v.*
- 21 [REDACTED] SCN 73469 (reversed).
- 22 12. This appeal does not involve child custody and visitation.
- 23 13. This case does involve the possibility of settlement.
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1 **AFFIRMATION¹:** This document does not contain the social security number of any person.

2 DATED this 30 day of December, 2018.

3
4 /s/ Alexander M. Falconi

5 Alexander M. Falconi

6 *Pro Se*

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8 **NRCP 5 CERTIFICATE OF SERVICE**

9
10 I, Alexander M. Falconi, do hereby solemnly swear under penalty of perjury that I am
11 over the age of 18 and a party to this action and that I placed a true and correct copy of this *Case*
12 *Appeal Statement* into a sealed envelope and mailed it, postage prepaid, *via* United States Postal
13 Service, addressed as follows:
14

15  Ann
16
17

18 SERVED THIS 30 day of December, 2018.

19
20 /s/ Alexander M. Falconi

21 Alexander M. Falconi

22 *Pro Se*
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¹ This affirmation is in accordance with NRS 239B.060.

Code 1310

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

ALEXANDER FALCONI,

Petitioner,

Case No. FV08-03200

vs.

Dept. No. 13

ANN

Respondent.

CASE APPEAL STATEMENT

This case appeal statement is filed pursuant to NRAP 3(f).

1. Appellant is Alexander Falconi.
2. This appeal is from an order entered by the Honorable Judge Bridget Robb.
3. Appellant is representing himself in Proper Person on appeal, the Appellant's address is:
Alexander M. Falconi
4. Respondent is Ann Respondent was represented in District Court by:
Raymond E. Oster, Esq SBN 6079
James J. Barnes Esq SBN 11911
5. Respondent's attorney is not licensed to practice law in Nevada: n/a
6. Appellant is not represented by retained counsel in District Court.
7. Appellant is not represented by retained counsel on appeal.
8. Appellant was not granted leave to proceed in forma pauperis in the District Court.

- 1 9. Proceeding commenced by the filing of a Petition to Establish Custody and Visitation on
2 August 25th, 2018.
- 3 10. This is a civil proceeding and the Appellant is appealing the Order Denying September 5,
4 2018 Motion filed December 6th, 2018.
- 5 11. The case has been the subject of a previous appeals to the Supreme Court:
6 Supreme Court No.: 57516, 64551, 69341 and 73469
- 7 12. This case does involve child custody or visitation.
- 8 13. It is unknown if the case involves the possibility of a settlement.

Dated this 4th day of January, 2019.

Jacqueline Bryant
Clerk of the Court

By: /s/ Yvonne Vilorio
Yvonne Vilorio
Deputy Clerk

SECOND JUDICIAL DISTRICT COURT**STATE OF NEVADA****COUNTY OF WASHOE****Case History - FV08-03200****Case Description: ALEXANDER M. FALCONI VS. [REDACTED] (D13)****Case Number: FV08-03200 Case Type: CUSTODY (NON-DIVORCE) - Initially Filed On: 8/25/2008****Parties**

<u>Party Type & Name</u>	<u>Party Status</u>
JUDG - CYNTHIA LU - D5	Party ended on: 8/25/2008 12:00:00AM
JUDG - BRIDGET ROBB - D13	Active
JUDG - CHUCK WELLER - D11	Party ended on: 7/11/2014 10:16:43AM
ATTY - Marilyn York, Esq. - 7220	Party ended on: 11/12/2014 12:00:00AM
ATTY - James J. Barnes, Esq. - 11911	Party ended on: 1/22/2016 12:00:00AM
ATTY - Clifton James Young, Esq. - 1233	Party ended on: 9/21/2011 12:00:00AM
ATTY - [REDACTED] Caffaratti, Esq. - 9372	Party ended on: 11/17/2015 12:00:00AM
ATTY - Raymond E. Oster, Esq. - 6079	Party ended on: 1/22/2016 12:00:00AM
ATTY - [REDACTED] Caffaratti, Esq. - 9372	Party ended on: 3/20/2012 12:00:00AM
ATTY - Kathrine Irene Berning, Esq. - 3678	Party ended on: 5/12/2014 12:00:00AM
PETR - ALEXANDER M FALCONI - @1131463	Active
PROP - ProPer Person - PROPER	Party ended on: 7/19/2011 12:00:00AM
RESP - [REDACTED] - @216153	Active

Disposed Hearings

- 1 Department: D11 -- Event: Request for Submission -- Scheduled Date & Time: 9/18/2008 at 16:45:00
Extra Event Text: EX PARTE EMERGENCY MOTION PROHIBIT REMOVAL OF CHILDREN FROM THE STATE
Event Disposition: S200 - 10/13/2008
- 2 Department: D11 -- Event: Request for Submission -- Scheduled Date & Time: 9/18/2008 at 16:48:00
Extra Event Text: EX PARTE EMERGENCY MOTION REGARDING CHILDREN
Event Disposition: S200 - 10/13/2008
- 3 Department: D11 -- Event: CASE MANAGEMENT CONFERENCE -- Scheduled Date & Time: 12/12/2008 at 13:30:00
Extra Event Text: 50 MINS; SECOND SET
Event Disposition: D435 - 12/12/2008
- 4 Department: D11 -- Event: Request for Submission -- Scheduled Date & Time: 1/8/2009 at 13:10:00
Extra Event Text: MOTION FOR ORDER REGARDING CONTEMPT
Event Disposition: S200 - 1/14/2009
- 5 Department: D11 -- Event: Request for Submission -- Scheduled Date & Time: 1/12/2009 at 13:55:00
Extra Event Text: MOTION TO MODIFY CHILD CUSTODY, VISITATION AND FINANCIAL SUPPORT
Event Disposition: S200 - 1/20/2009
- 6 Department: D11 -- Event: SETTLEMENT CONFERENCE -- Scheduled Date & Time: 2/10/2009 at 08:30:00
Extra Event Text: 1.5 HOURS
Event Disposition: D480 - 2/10/2009
- 7 Department: D11 -- Event: Request for Submission -- Scheduled Date & Time: 3/5/2009 at 14:45:00
Extra Event Text: OBJECTION TO PROPOSED MOTION
Event Disposition: S200 - 3/11/2009

Report Does Not Contain Sealed Cases or Confidential Information