

DEC
1 JONATHAN QUINN STOKER
2584 AVIV CT
2 LAS VEGAS, NEVADA 89121
516-864-3499

CLERK OF THE COURT

8th DISTRICT COURT

CLARK COUNTY, NEVADA

6 JONATHAN QUINN STOKER

7 Plaintiff,

8 vs.

9 SILVIA ELENA BERISTAIN NAJERA

10 Defendant

Case No.: D-12-463810-D

Dept. No.: S

13 **DECREE OF DIVORCE**

14 1. Comes now, Plaintiff JONATHAN QUINN STOKER, submits the above-entitled matter
15 for a default disposition, the court having before it all the files, pleadings and papers in the action, and being fully
16 advised in the premises, and fully satisfied that the action has been duly and regularly commenced finds that the
17 Court has complete jurisdiction in the premises, both as to the subject matter thereof, as well as the parties thereto;

18 2. That Plaintiff, for a period of more than six weeks immediately preceding the filing of this
19 action, has been and now is an actual, bona fide resident of the State of Nevada, County of Clark, and has been
20 actually physically present and domiciled in Nevada for more than six (6) weeks prior to the filing of this action.

21 3. That Plaintiff and Defendant were married on the 12th day of April, 2005 in Las Vegas, NV, and
22 have been and still are husband and wife. That there are 1 minor child who is either the issue of this marriage and
23 Defendant is not currently pregnant. The name and date of birth of the child is Michael Sheldon Stoker,
24 09/03/2005.

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|--|--|---|--|
| <u>Non-Trial Dispositions:</u> | | <u>Settled/Withdrawn:</u> | |
| <input type="checkbox"/> Other | <input type="checkbox"/> Dismissed - Want of Prosecution | <input checked="" type="checkbox"/> Without Judicial Conf/Hrg | |
| <input type="checkbox"/> Involuntary (Statutory) Dismissal | <input type="checkbox"/> Default Judgment | <input type="checkbox"/> With Judicial Conf/Hrg | |
| <input type="checkbox"/> Transferred | <input type="checkbox"/> By ADR | | |
| <u>Trial Dispositions:</u> | | | |
| <input type="checkbox"/> Disposed After Trial Start | <input type="checkbox"/> Judgment Reached by Trial | | |

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OCT 29 2012

FAMILY COURT
DEPARTMENT 5

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4. The minor child is under the jurisdiction of this court and Nevada has been his legal residence for 1 and ½ years.

5. Both parties are fit and proper persons to be awarded joint legal custody of the minor child.

6. The Plaintiff is a fit and proper person to be awarded primary physical custody of the minor child. The child will reside with the Plaintiff, JONATHAN QUINN STOKER at his home in Las Vegas, Nevada. Defendant may have visitation rights of the summer vacation and Christmas vacation. Defendant will provide transportation to her residence. The summer vacation will be from June 15th to August 15th. The Christmas vacation will be from the day after released from school until the day before returning to school in January.

7. Defendant would be obligated to child support of \$100 per month per child, which is the mandated minimum as she is unemployed under NRS. This amount of support meets the child's financial needs.

8. That Plaintiff should maintain medical and dental insurance for the minor child. That Plaintiff will pay all deductibles and expenses approved but not covered by insurance. All other expenses not covered by insurance should be paid equally by both parties.

9. There is no community property which needs to be divided by the Court.

10. There are no community debts which need to be adjudicated by the Court.

11. Neither party shall be awarded spousal support.

12. That Defendant should not have her former name or maiden name restored as it wasn't changed during marriage.

13. That during the course of said marriage, the tastes, mental disposition, views, likes and dislikes of Plaintiff and Defendant have become so widely divergent that the parties have become incompatible in marriage to such an extent that it is impossible for them to live together as husband and wife; that the incompatibility between Plaintiff and Defendant is so great that there is no possibility of reconciliation between them.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the bonds of matrimony now and heretofore existing between Plaintiff and Defendant be, and the same are hereby wholly dissolved, set aside and

1 forever held for naught, and that said parties are hereby wholly dissolved, set aside and forever held for naught, and
2 that said parties are hereby restored to the status of single person.

3 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Both parties are fit and proper persons
4 to be awarded joint legal custody of the minor child.

5 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Plaintiff is a fit and proper person to
6 be awarded primary physical custody of the minor child. The child will reside with the Plaintiff, JONATHAN
7 QUINN STOKER at his home in Las Vegas, Nevada. Defendant may have visitation rights of the summer vacation
8 and Christmas vacation. Defendant will provide transportation to her residence. The summer vacation will be from
9 June 15th to August 15th. The Christmas vacation will be from the day after released from school until the day
10 before returning to school in January.

11 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant is obligated to child support
12 of \$100 per month per child, which is the mandated minimum as she is unemployed under NRS. This amount of
13 support meets the child's financial needs.

14 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff should maintain medical and
15 dental insurance for the minor child.

16 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff will pay all deductibles and
17 expenses approved but not covered by insurance. All other expenses not covered by insurance should be paid
18 equally by both parties.

19 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that there is no community property which
20 needs to be divided by the Court.

21 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that there are no community debts which
22 need to be adjudicated by the Court.

23 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that neither party shall be awarded spousal support.

24 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that during the course of said marriage, the tastes,
25 mental disposition, views, likes and dislikes of Plaintiff and Defendant have become so widely divergent that the

1 parties have become incompatible in marriage to such an extent that it is impossible for them to live together as
2 husband and wife; that the incompatibility between Plaintiff and Defendant is so great that there is no possibility of
3 reconciliation between them.

4 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that every condition set forth in NRS
5 125.181 has been met.

6 IT IS FURTHERED ORDERED, ADJUDGED AND DECREED that the parties shall submit the
7 information required in NRS 125B.055, NRS 125.230 on a separate form to the Court and the Welfare Division of
8 the Department of Human Resources within ten days from the date this Decree is filed. Such information shall be
9 maintained by the Clerk in a confidential manner and not part of the public record. The parties shall update the
10 information filed with the Court and the Welfare Division of the Department of Human Resources within ten days
11 should any of that information become inaccurate.

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

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

21 **NOTICE IS HEREBY GIVEN** that the terms of the Hague Convention of October 25,
22 1980, adopted by the 14th Session of the Hague Conference on Private International Law apply if a
23 parent abducts or wrongfully retains a child in a foreign country. The parties are also put on notice
24 of the following provisions in NRS 125.510(8):

- 25 If a parent of the child lives in a foreign country or has significant commitments in a 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

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.

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NOTICE IS HEREBY GIVEN that they are subject to the provisions of NRS 31A and 125.450 regarding the collection of delinquent child support payments.

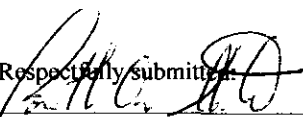
NOTICE IS HEREBY GIVEN that either party may request a review of child support pursuant to NRS 125B.145.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that after the divorce, any debt incurred by either party in their respective own name or on an account solely in their respective name shall be the sole responsibility of the party incurring such debt.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each party shall be responsible for his/her attorney's fees and costs incurred in bringing this action.

Dated this 24th day of October, 2012. *VO*


DISTRICT COURT JUDGE
VINCENT OCHOA *VO*


Respectfully submitted,
JONATHAN QUINN STOKER
2584 AVIV CT
LAS VEGAS, NEVADA 89121
516-864-3499