

SUPREME COURT OF NEVADA

Kaur v. Singh

Kaur, 2020 NV 77 (Nev. 2020) · No. 80090 · Decided December 10, 2020

SUMMARY

This is a Nevada Supreme Court opinion in Kaur v. Singh, arising from a civil family-law appeal and cross-appeal. The court reversed and remanded the lower-court decision; rehearing and en banc reconsideration were later denied.

CASE DETAILS

COURT	Supreme Court of Nevada
WRITING FOR THE COURT	Gibbons, J.; Stiglich, J.; Silver, J.
JURISDICTION	Nevada
DECIDED	December 10, 2020
DOCKET	80090
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Civil family-law appeal and cross-appeal from the Eighth Judicial District Court, Clark County.
PRECEDENTIAL VALUE	published
PARTIES	Rajwant Kaur v. Jaswinder Singh

TOPICS

- family law procedure
- appellate procedure
- family law

PRACTICE AREAS

- family law
- appellate procedure

PROCEDURAL HISTORY

Rajwant Kaur appealed and Jaswinder Singh cross-appealed from proceedings in the Eighth Judicial District Court, Clark County, case D323977. The Nevada Supreme Court heard oral argument on November 12, 2020, and issued an opinion on December 10, 2020, reversing and remanding. Rehearing and en banc reconsideration were subsequently denied, and remittitur issued on April 12, 2021.

DISPOSITION

reversed_and_remanded

OPINION

KAUR VS. SINGH

2020 NV 77

PER CURIAM.

80090: Case View Nevada Appellate Courts Appellate Case Management System C-Track, the browser based CMS for Appellate Courts Case Search Participant Search Cases Case Search Participant Search 20-44871: This document is currently unavailable. If you need a copy of this document, please contact Clerk's Office at (775)684-1600. Disclaimer: The information and documents available here should not be relied upon as an official record of action.Only filed documents can be viewed. Some documents received in a case may not be available for viewing.Some documents originating from a lower court, including records and appendices, may not be available for viewing.For official records, please contact the Clerk of the Supreme Court of Nevada at (775) 684-1600. Case Information: 80090 Short Caption:KAUR VS. SINGHCourt:Supreme Court Related Case(s):79591, 79591-COA, 83613 Lower Court Case(s):Clark Co. - Eighth Judicial District - D323977Classification:Civil Appeal - Family Law - Other Disqualifications:Case Status:Remittitur Issued/Case Closed Replacement:Panel Assigned: En Banc To SP/Judge:11/27/2019 / Kunin, IsraelSP Status:Completed Oral Argument:11/12/2020 at 1:30 PMOral Argument Location:Las Vegas Submission Date:11/12/2020How Submitted:After Oral Argument + Party Information RoleParty NameRepresented By Appellant/Cross-RespondentRajwant KaurAndrew L. Kynaston (Kainen Law Group) Racheal H. Mastel (Kainen Law Group) Respondent/Cross-AppellantJaswinder SinghF. Peter James (Law Offices of F. Peter James, Esq.) Docket Entries DateTypeDescriptionPending?Document 11/25/2019Filing FeeFiling Fee Paid. \$250.00 from Kainen Law Group. Check no. 6059. (SC) 11/25/2019Notice of Appeal DocumentsFiled Notice of Appeal. Appeal docketed in the Supreme Court this day. (Docketing statement mailed to counsel for appellant.) (SC)19-48171 11/25/2019Notice/OutgoingIssued Notice of Referral to Settlement Program. This appeal may be assigned to the settlement program. Timelines for requesting transcripts and filing briefs are stayed. (SC)19-48173 11/26/2019Notice of Appeal DocumentsFiled Confidential Civil Cover Sheet. (SC) 11/27/2019Settlement NoticeIssued Notice: Assignment to Settlement Program. Issued Assignment Notice to NRAP 16 Settlement Program. Settlement Judge: Israel Kunin (SC)19-48438 12/06/2019Filing FeeFiling Fee due for Cross-Appeal. (SC) 12/06/2019Notice of Appeal DocumentsFiled Notice of Cross-Appeal. (SC)19-49651 12/06/2019Notice/OutgoingIssued Notice to Pay Supreme Court Filing Fee. No action will be taken on this matter until filing fee is paid. Due Date: 10 days. (Cross-Appeal) (SC)19-49657 12/09/2019Notice of Appeal DocumentsFiled District Court Document -

Confidential Civil Cover Sheet. (SC) 12/10/2019 Filing Fee E-Payment \$250.00 from F. Peter James. (SC) 12/13/2019 Docketing Statement Filed Appellant/Cross-Respondent's Docketing Statement Civil Appeals. (REJECTED PER NOTICE ISSUED 12/13/19). (SC) 12/13/2019 Notice/Outgoing Issued Notice of Rejection of Deficient Docketing Statement. Corrected docketing statement due: 5 days. (SC) 19-50705 12/16/2019 Settlement Program Report Filed ECAR/Not Appropriate for Settlement Program. This case is not appropriate for mediation. (SC).19-50778 12/16/2019 Docketing Statement Filed Appellant/Cross-Respondent's Docketing Statement Civil Appeals. (SC) 19-50804 12/16/2019 Docketing Statement Filed Respondent/Cross-Appellant's Docketing Statement Civil Appeals. (SC) 19-50820 12/17/2019 Settlement Order/Procedural Filed Order Removing From Settlement Program/Briefing Reinstated. This appeal is removed from the settlement program. Appellant/cross-respondent (appellant) and respondent/cross-appellant (respondent) shall each have 14 days from the date of this order to file and serve a transcript request form. Appellant shall have 90 days from the date of this order to file and serve the opening brief and appendix on appeal. Respondent shall have 30 days from service of appellant's opening brief to file and serve a combined answering brief on appeal and opening brief on cross-appeal. Appellant shall have 30 days from service of respondent's combined brief to file and serve a combined reply brief on appeal and answering brief on cross-appeal. Finally, respondent shall have 14 days from service of appellant's combined brief to file and serve a reply brief on cross-appeal. (SC).19-50969 12/31/2019 Transcript Request Filed Respondent/Cross-Appellant's Certificate of No Transcript Request. (SC) 19-52485 12/31/2019 Transcript Request Filed Appellant/Cross-Respondent's Request for Transcript of Proceedings. Transcripts requested: 9/12/19 and 9/13/19. To Court Reporter: Verbatim Reporting & Transcription. (SC) 19-52497 02/05/2020 Transcript Filed Notice from Court Reporter. Maria Bulfa stating that the requested transcripts were delivered. Dates of transcripts: 09/12/19, 09/13/19. (SC).20-05007 03/13/2020 Order/Clerk's Filed Order Granting Telephonic Extension. Appellant/Cross-Respondent's Opening Brief and Appendix due: March 30, 2020. (SC) 20-09938 03/30/2020 Brief Filed Appellant/Cross Respondent's Opening Brief (REJECTED PER 3/31/20 NOTICE). (SC) 03/31/2020 Notice/Outgoing Issued Notice of Deficient Opening Brief. Corrected brief due: 5 days. (SC) 20-12263 04/02/2020 Brief Filed Appellant/Cross Respondent's Opening Brief. (SC) 20-12564 04/02/2020 Appendix Filed Appellant/Cross Respondent's Appendix to Opening Brief- Volume I Part I. (SC) 20-12573 04/02/2020 Appendix Filed Appellant/Cross Respondent's Appendix to Opening Brief- Volume II Part I. (SC) 20-12574 04/02/2020 Appendix Filed Appellant/Cross Respondent's Appendix to Opening Brief- Volume III. (SC) 20-12575 05/04/2020 Order/Clerk's Filed Order Granting Extension Per Telephonic Request. Respondent/Cross-Appellant's Answering Brief on Appeal and Opening Brief on Cross-Appeal due: May 18, 2020. (SC).20-16816 05/18/2020 Appendix Filed Respondent / Cross-Appellant's Appendix to Answering Brief (REJECTED PER 5/19/20 NOTICE). (SC) 05/18/2020 Brief Filed Respondent / Cross-Appellant's Answering Brief / Cross-Opening Brief. (SC) 20-18964

05/19/2020Notice/OutgoingIssued Notice of Deficient Appendix. Respondent/Cross-Appellant's Corrected Appendix to Answering Brief due: 5 days. (SC)20-19042 05/20/2020AppendixFiled Respondent/Cross-Appellant's Appendix to Answering Brief/Cross-Opening Brief (SC)20-19327 05/20/2020Notice/IncomingFiled Certificate of Service (Respondent/Cross-Appellant's Appendix to Answering Brief/Cross-Opening Brief). (SC)20-19328 06/17/2020BriefFiled Appellant/Cross-Respondent's Reply Brief and Cross-Answering Brief. (SC)20-22669 07/02/2020Order/Clerk'sFiled Order Granting Telephonic Extension. Respondent/Cross-Appellant's Reply Brief on Cross-Appeal due: July 15, 2020. (SC)20-24548 07/15/2020MotionFiled Respondent/Cross-Appellant's Motion for Extension of Time to File Reply Brief (First Written Request) (Telephonic Request Granted). (SC)20-26074 07/17/2020AppendixFiled Appendix to Reply Brief. (SC)20-26303 07/17/2020BriefFiled Respondent/Cross-Appellant's Reply Brief. (SC)20-26310 08/04/2020Order/ProceduralFiled Order Granting Motion. The motion for an extension of time to file the reply brief is granted. The reply brief on cross-appeal and appendix were filed on July 17, 2020. (SC)20-28347 08/04/2020Case Status UpdateBriefing Completed/To Screening. (SC) 10/13/2020Order/ProceduralFiled Order Scheduling Oral Argument. This matter is scheduled for oral argument on November 12, 2020, at 1:30 p.m. The argument will be videoconferenced. The argument shall be limited to 30 minutes. The court will use the BlueJeans videoconferencing system. Within 7 days of the date of this order, the parties shall submit to the Clerk of the Court a notice identifying the attorney(s) who will argue the case and the phone number and email address of the attorneys. The notice may be emailed to the court at nvscclerk@nvcourts.nv.gov. (SC)20-37604 10/15/2020Notice/IncomingFiled Appellant/Cross-Respondent Notice Identifying Attorney for Oral Argument. (SC)20-37935 10/28/2020Notice/IncomingFiled Respondent/Cross-Appellant's Notice of Attorney Arguing. (SC)20-39549 10/29/2020Notice/OutgoingIssued Oral Argument Reminder Notice. (SC)20-39678 11/12/2020Case Status UpdateOral argument held this day. Case submitted for decision. Before the Southern Nevada Panel. 78996. (SNP20-MG/LS/AS). (SC) 12/10/2020Opinion/DispositionalFiled Authored Opinion. "Reversed and remanded." Before Gibbons/Stiglich/Silver. Author: Gibbons, J. Majority: Gibbons/Stiglich/Silver. 136 Nev. Adv. Opn. No. 77. SNP20-MG/LS/AS. (SC).20-44871 12/28/2020Post-Judgment PetitionFiled Respondent/Cross-Appellant's Petition for Rehearing. (SC)20-46725 12/28/2020Filing FeeFiling fee paid. E-Payment \$150.00 from F. Peter James. (SC) 01/13/2021Post-Judgment OrderFiled Order Denying Rehearing. "Rehearing Denied." NRAP 40(c). SNP20 - LS/AS. (SC)21-01045 01/27/2021Post-Judgment PetitionFiled Respondent/Cross-Appellant's Petition for En Banc Reconsideration. (SC)21-02601 02/08/2021Order/ProceduralFiled ORDER Directing Answer to Petition for En Banc Reconsideration. Appellant/Cross-Respondent's Answer due: 14 days. (SC)21-03679 02/22/2021BriefFiled Appellant/Cross-Respondent's Answer to Respondent's Petition for En Banc Rehearing. (SC)21-05212 03/18/2021Post-Judgment OrderFiled Order Denying En Banc Reconsideration. Having considered the petition on file herein, we have

concluded that en banc reconsideration is not warranted. NRAP 40A. Accordingly, we "ORDER the petition DENIED." EN BANC (SC)21-07878 04/12/2021RemittiturIssued Remittitur. (SC)21-10365 04/12/2021Case Status UpdateRemittitur Issued/Case Closed. (SC) 05/07/2021RemittiturFiled Remittitur. Received by District Court Clerk on April 13, 2021. (SC)21-10365 Combined Case View