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Steven D. Grierson
CLERK OF THE COURT

LUBA DACE
[redacted]
[redacted]
Pro Per

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

LUBA DACE, Plaintiff, v. MELVIN GRIMES, BEN CHILDS, LAW OFFICE OF BENJAMIN B. CHILDS, MARY PERRY Defendants.	Case No.: A-25-922833-C Dept. No.: 21 **MOTION FOR REQUEST FOR ALTERNATE SERVICE, REQUEST FOR EXPEDITED DEPOSITION AND APPOINTMENT OF GUARDIAN AD LITEM** HEARING NOT REQUESTED

NOTICE OF MOTION

TO: Nonmoving Party

YOU AND EACH OF YOU will take notice that on the_____day of_____, 2____, at the hour of___o'clock __m., of said day, the above motion will be heard in

NOTICE:

YOU ARE REQUIRED TO FILE WITH THE COURT AND SERVE ON THE MOVING PARTY A WRITTEN "OPPOSITION" TO THIS MOTION WITHIN 10 JUDICIAL DAYS. YOUR FAILURE TO FILE AND SERVE A WRITTEN OPPOSITION MAY BE UNDERSTOOD AS AN ADMISSION THAT THE MOTION IS VALID, AND MAY RESULT IN THE COURT GRANTING THE RELIEF REQUESTED IN THE MOTION AGAINST YOU.

Case Number: A-25-922833-C

Plaintiff LUBA DACE, appearing pro per, respectfully submits this Motion for Alternative Service pursuant to Nevada Rules of Civil Procedure (NRCP) 4.4(b).

INTRODUCTION

Plaintiff has recently learned that Defendant MELVIN GRIMES is currently hospitalized and in critical condition. Given Defendant's serious medical circumstances, direct personal service upon him is impractical at this time. Plaintiff acknowledges the sensitivity of Defendant's condition and expresses genuine hope for Defendant Grimes' recovery, while respectfully seeking procedural guidance from the Court under these circumstances.

REQUEST FOR ALTERNATIVE SERVICE

Plaintiff previously submitted service documents to the Clark County Sheriff's Office for direct personal service upon Defendant Grimes prior to becoming aware of his critical health condition. Upon subsequently learning of Defendant's serious medical condition, Plaintiff recognizes that direct personal service will likely be impractical or impossible under the current circumstances. Plaintiff respectfully informs the Court of this prior attempt to serve Defendant via the Sheriff's Office and requests permission to proceed with alternative service to accommodate Defendant Grimes' current medical status.

APPOINTMENT OF GUARDIAN AD LITEM

Additionally, due to Defendant Grimes' serious medical condition and possible inability to adequately represent his own interests in this litigation, Plaintiff respectfully requests that the Court appoint a Guardian ad Litem pursuant to NRCP 17(c) to protect Defendant Grimes' legal

interests. Plaintiff believes this appointment is necessary to ensure procedural fairness and proper representation of Defendant's interests given his critical health condition.

In light of Defendant Grimes' condition, Plaintiff respectfully requests that this Court grant permission for alternative service pursuant to NRCP 4.4(b). Plaintiff is prepared to serve the Summons and Complaint through Defendant Grimes' known attorney or other suitable alternative method as directed by this Court. Plaintiff remains committed to accommodating Defendant Grimes' circumstances in any reasonable manner as directed by this Court and seeks guidance on the preferred alternative method to ensure proper, respectful, and effective service.

REQUEST FOR EXPEDITED DEPOSITION

Due to Defendant Melvin Grimes' critical medical condition and potential unavailability to testify at trial, Plaintiff respectfully requests an expedited deposition pursuant to Nevada Rule of Civil Procedure (NRCP) 30. Given Defendant's deteriorating health and hospitalization, delaying the deposition may result in irreparable prejudice to Plaintiff's ability to secure critical testimony. Plaintiff is prepared to provide immediate reasonable notice to Defendant's counsel and seeks the Court's approval to schedule the deposition at the earliest possible date.

This request is made in good faith to preserve Defendant Grimes' testimony and ensure fairness to all parties involved. Plaintiff further requests that this Court order Defendant's counsel to cooperate in promptly scheduling and conducting this deposition, considering the urgency and sensitive circumstances involved.

CONCLUSION

Therefore, Plaintiff respectfully requests the Court issue an order permitting alternative service and allowing for expedited deposition and providing guidance regarding the method the Court deems most appropriate under these unfortunate circumstances. Plaintiff further requests the Court appoint a Guardian ad Litem pursuant to NRCP 17(c) to ensure procedural fairness and adequate representation of Defendant Grimes' interests given his critical medical condition.

POINTS AND AUTHORITIES

This Motion is brought pursuant to Nevada Rules of Civil Procedure (NRCP):

1. **NRCP 4.4(b)** provides that the Court may authorize alternative service methods when standard personal service is impractical due to unique circumstances. Plaintiff respectfully submits that Defendant Grimes' critical health condition renders personal service impractical, satisfying this rule.
2. **NRCP 17(c)** authorizes the appointment of a Guardian Ad Litem when a party is unable to adequately represent their interests due to incapacity, illness, or other reasons affecting their ability to participate meaningfully in litigation. Given Defendant's critical medical state, appointment of a Guardian ad Litem is appropriate and necessary to ensure procedural fairness.

Dated this 5th day of August 2025.

Respectfully submitted,

/s/Luba Dace LUBA DACE, Pro Per

VERIFICATION

STATE OF NEVADA; COUNTY OF CLARK

I, LUBA DACE, being first duly sworn, declare under penalty of perjury under the laws of the State of Nevada that I am the Plaintiff in the above-entitled matter, that I have read the foregoing Motion for Alternative Service, Expedited Deposition and Appointment of Guardian ad Litem, and that the statements and allegations contained therein are true and correct to the best of my knowledge and belief.

Executed on this 5th day of August 2025.

/s/Luba Dace

LUBA DACE, Plaintiff, Pro Per

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that on the 5th day of August 2025, I served a true and correct copy of the foregoing Motion for Alternative Service and Appointment of Guardian ad Litem by placing the same in the U.S. Mail, postage prepaid, addressed as follows:

Melvin Grimes
1888 Fairfield Terr
[redacted]

Dated this 5th day of August 2025.

/s/Luba Dace

LUBA DACE, Plaintiff, Pro Per