Electronically Filed
8/20/2025 9:58 AM
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, BENJAMIN CHILDS, LAW OFFICE OF BENJAMIN B. CHILDS, MARY PERRY, Defendants.	Case No.: A-25-922833-C Dept. No.: 21 **PLAINTIFF'S MOTION FOR ORDER SHORTENING TIME ON MOTION TO AMEND COMPLAINT** 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

Case Number: A-25-922833-C

MAY RESULT IN THE COURT GRANTING THE RELIEF REQUESTED IN THE MOTION AGAINST YOU.

COMES NOW, Plaintiff **LUBA DACE**, in proper person, and respectfully moves this Court for an **Order Shortening Time** ("OST") to hear her **Motion for Leave to File Amended Complaint**.

I. LEGAL STANDARD

Under **EDCR 2.26** and **NRCP 6(c)(1)(C)**, this Court may, for good cause shown, shorten the time for notice and hearing of a motion. Nevada courts recognize that OSTs are appropriate when delay risks irreparable prejudice or loss of rights. *Maheu v. Eighth Judicial Dist. Court*, 89 Nev. 214, 510 P.2d 627 (1973) (trial court has broad discretion to control scheduling in the interests of justice).

The decision to shorten time is reviewed for abuse of discretion, and Nevada courts regularly uphold OSTs where exigent circumstances exist. *Avery v. Gilliam*, 97 Nev. 181, 625 P.2d 1166 (1981) (emphasizing trial court's discretion in managing case timing to preserve fairness).

II. GOOD CAUSE EXISTS

Good cause exists here because:

1. **Critical Medical Condition of Defendant Grimes.** On information and belief, Defendant **Melvin Grimes** is in critical condition and may not survive long enough for briefing and hearing in the ordinary course. If his testimony is lost, Plaintiff will suffer irreparable prejudice.
2. **Judicial Economy.** A hearing is already scheduled in this matter for **September 10, 2025, at 9:30 a.m.** Although the underlying motion set for that date has been withdrawn,

Plaintiff respectfully requests that her Motion to Amend be heard at that same time. Consolidating matters at a single hearing conserves judicial resources and avoids unnecessary delay.

3. **No Prejudice to Defendants.** Opposing parties will still have adequate opportunity to brief and argue the Motion to Amend before September 10. Any potential inconvenience is outweighed by the prejudice to Plaintiff if testimony is lost.

III. REQUEST FOR RELIEF

For these reasons, Plaintiff respectfully requests that the Court:

1. Grant this Motion for Order Shortening Time;
2. Direct that Plaintiff's **Motion to Amend Complaint** be heard on **September 10, 2025, at 9:30 a.m.** (the date and time already reserved in this case); and
3. Set an expedited briefing schedule as follows:
    - Opposition due by: September 3, 2025
    - Reply due by: September 8, 2025

IV. CONCLUSION

Plaintiff has shown good cause under **EDCR 2.26** and **NRCP 6(c)(1)(C)** for shortening time. Given Defendant Grimes's critical condition, justice requires expedited consideration to avoid permanent prejudice.

DATED this 20th day of August 2025.

Respectfully submitted,

/s/Luba Dace

LUBA DACE, Plaintiff Pro Se

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of August, 2025, I served a true and correct copy of the foregoing **Plaintiff's Motion for Order Shortening Time on Motion to Amend Complaint** by:

X U.S. Mail, postage prepaid, addressed to:

Melvin Grimes 1888 Fairfield Terr Henderson, NV

[redacted]

X Electronic service through the Court's e-filing system (Odyssey File & Serve), addressed to:

Ben Childs

☐ Personal delivery:

Dated this 20th day of August, 2025.

Respectfully submitted,

/s/Luba Dace

LUBA DACE, Plaintiff Pro Se

VERIFICATION

I, **Luba Dace**, declare as follows:

1. I am the Plaintiff in the above-entitled action.
2. I have read the foregoing **PLAINTIFF'S MOTION FOR ORDER SHORTENING TIME ON MOTION TO AMEND COMPLAINT** and the facts stated therein are true and correct of my own knowledge, except as to those matters stated on information and belief, and as to those matters I believe them to be true.
3. I make this verification under penalty of perjury under the laws of the State of Nevada.

Executed this 20th day of August, 2025, in Clark County, Nevada.

/s/Luba Dace

LUBA DACE, Plaintiff Pro Se