

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE ESTATE
OF LESLIE E. GRIFFY.

No. 42899

PATRICK L. GRIFFY,
Appellant,
vs.
GAIL A. ARSLAN,
Respondent.

FILED

OCT 15 2004

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from a district court's order granting a petition to set aside the decedent's estate without administration. Second Judicial District Court, Washoe County; Peter I. Breen, Judge.


Having reviewed the trial court record, we conclude that the district court properly granted the petition. Appellant did not file any written objection to the petition in the district court, setting forth his arguments. In fact, the district court minutes reveal that the court gave appellant at least two opportunities to file written objections, but he failed to do so.

Although appellant has not been granted leave to proceed on appeal in proper person,¹ he has submitted documentation in this court indicating his specific objections to the petition. This court is not a fact-finding tribunal, however, and factual issues should have been properly

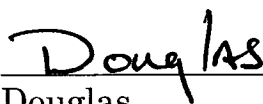
¹See NRAP 46(b). We have received and considered appellant's proper person documents.

presented to and addressed by the district court in the first instance.²
Accordingly, we affirm the district court's order.

It is so ORDERED.


_____, J.
Rose


_____, J.
Maupin


_____, J.
Douglas

cc: Hon. Peter I. Breen, District Judge
Patrick L. Griffy
J. Douglas Clark Jr.
Washoe District Court Clerk

²Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 637 P.2d 534 (1981).