

IN THE SUPREME COURT OF THE STATE OF NEVADA

SHERRY F. KEITHLEY,
Appellant,
vs.
JARED A. DRAKE,
Respondent.

No. 43829

FILED

MAY 22 2006

JANETTE M. BLJOM
CLERK OF SUPREME COURT
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from a district court order denying an NRCP 60(b) motion to set aside portions of an order concerning the parties' child's surname. Eighth Judicial District Court, Family Court Division, Clark County; Cynthia Dianne Steel, Judge.

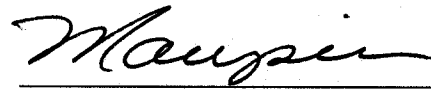
Under NRCP 60(b)(1), a moving party may be relieved from a final order where there exists "mistake, inadvertence, surprise, or excusable neglect." A district court has broad discretion in ruling on NRCP 60(b) motions,¹ but the record must contain sufficient evidence to support the court's decision.² Having reviewed the record and appellant's

¹Kahn v. Orme, 108 Nev. 510, 513, 835 P.2d 790, 792 (1992).

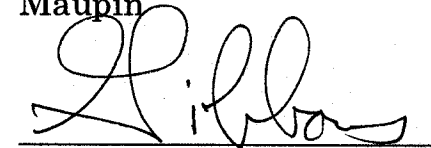
²Smith v. Smith, 102 Nev. 110, 111-12, 716 P.2d 229, 230 (1986); cf. Greene v. State, 96 Nev. 555, 612 P.2d 686 (1980) (noting that the appellant has the burden to make an adequate appellate record).

proper person brief,³ we conclude that the district court did not abuse its discretion when it denied appellant's request for NRCP 60(b) relief. Accordingly, we

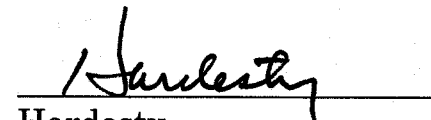
ORDER the judgment of the district court AFFIRMED.

 _____, J.

Maupin

 _____, J.

Gibbons

 _____, J.

Hardesty

cc: Hon. Cynthia Dianne Steel, District Judge, Family Court Division
Sherry F. Keithley
Jared A. Drake
Clark County Clerk

³We grant appellant's motion for leave to file an opening brief, and we direct the clerk of this court to file the proper person brief provisionally received on October 25, 2004.