

IN THE SUPREME COURT OF THE STATE OF NEVADA

KENNETH CALDWELL BUTCHER,
Appellant,
vs.
CORY ANN BUTCHER,
Respondent.

No. 45758

FILED

DEC 01 2006

ORDER OF AFFIRMANCE

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

This is an appeal from a district court order denying a motion to terminate spousal support. Eighth Judicial District Court, Family Court Division, Clark County; Cynthia Dianne Steel, Judge.

Appellant Kenneth Butcher and respondent Cory Ann Butcher divorced in 2004. As part of the divorce settlement, Kenneth agreed to pay Cory \$1,000 per month in spousal support for seven and one half years. A year later, Kenneth filed a motion to terminate the spousal support payments. The district court denied Kenneth's motion but agreed to reduce the amount of the payments to \$950 in recognition of Cory's increased income. This appeal followed.

This court "reviews a district court's ruling on a motion to modify spousal support for an abuse of discretion."¹ We generally uphold district court rulings that are "supported by substantial evidence."²

¹Gilman v. Gilman, 114 Nev. 416, 422, 956 P.2d 761, 764 (1998).

²Williams v. Waldman, 108 Nev. 466, 471, 836 P.2d 614, 617 (1992); see also Beavers v. State, Dep't of Mtr. Vehicles, 109 Nev. 435, 438, 851 P.2d 432, 434 (1993) (providing that substantial evidence is "evidence which a reasonable person might accept as adequate to support a conclusion").

Under NRS 125.150(7), the district court may revisit and modify a spousal support obligation upon a "showing of changed circumstances."

Here, the district court noted that Kenneth willingly entered into the settlement agreement under which he agreed to pay Cory \$1,000 per month in support. But the court also acknowledged that Cory's income had changed so as to warrant a modification in the spousal support award from \$1,000 to \$950 per month. We have reviewed the record and the parties' briefs, and conclude that substantial evidence supports the district court's determination to grant, in part, Kenneth's motion to modify his spousal support obligation. Thus, the district court did not abuse its discretion. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Becker, J.
Becker

Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

cc: Hon. Cynthia Dianne Steel, District Judge, Family Court Division
Howard Roitman, Settlement Judge
Lyons Law Firm
Warhola & Brooks, LLP
Clark County Clerk