

IN THE SUPREME COURT OF THE STATE OF NEVADA

LUIS ENRIQUE NUNEZ,
Appellant,
vs.
MARIA CECILIA NUNEZ,
Respondent.

No. 48229

FILED

JUN 08 2007

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

ORDER OF AFFIRMANCE

This is a proper person appeal from a post-decree order awarding attorney fees. Eighth Judicial District Court, Family Court Division, Clark County; T. Arthur Ritchie Jr., Judge.

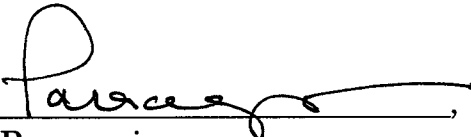
The parties were granted a divorce in 2005. In April 2006, respondent moved the district court to enforce the terms of the divorce decree and for attorney fees.¹ Appellant opposed the motion and filed a

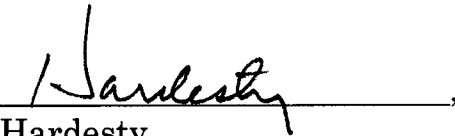
¹To the extent that appellant attempts to appeal from the July 2006 order, arguably that order is not substantively appealable because the district court merely determined the amount of arrears and reduced the arrearages to judgment. See NRS 125B.140 (providing that the district court has the authority to enforce orders for support). An order merely enforcing a prior order does not affect the rights of the parties growing out of the final judgment, and is therefore not appealable as a special order after final judgment. See Gumm v. Mainor, 118 Nev. 912, 59 P.3d 1220 (2002). In any case, appellant did not appeal from the July order, nor did he designate the order in his notice of appeal as an order he was appealing.


countermotion for contempt. The district court entered an order enforcing the divorce decree. Thereafter, the court entered an order awarding respondent \$750 in attorney fees. Appellant has appealed from this fee order. Under NRS 125.150(3), in a divorce action, the district court may award fees if they are raised in the pleadings.² An award of attorney fees in divorce proceedings lies within the sound discretion of the district court.³

Having reviewed appellant's civil proper person appeal statement and the record, we conclude that the district court did not abuse its discretion. Accordingly, we affirm the district court's order.

It is so ORDERED.


Parraguirre J.


Hardesty J.


Saitta J.

²Halbrook v. Halbrook, 114 Nev. 1455, 1461, 971 P.2d 1262, 1266 (1998) (recognizing that “attorney fees may be awarded in post-divorce proceedings under NRS 125.150(3)”).

³See Sprenger v. Sprenger, 110 Nev. 855, 878 P.2d 284 (1994) (concluding that an award of attorney fees in divorce proceedings lies within the district court's sound discretion).

cc: Hon. T. Arthur Ritchie Jr., District Judge, Family Court Division
Luis Enrique Nunez
Nikki D. Wilson
Eighth District Court Clerk