

IN THE SUPREME COURT OF THE STATE OF NEVADA

KIRK D. LAIRD,  
Appellant,  
vs.  
CAROL L. LAIRD,  
Respondent.

No. 48411

**FILED**

MAR 09 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 district court post-decree order modifying child support. Fourth Judicial District Court, Elko County; Andrew J. Puccinelli, Judge.

This court reviews a district court's child support order for an abuse of discretion.<sup>1</sup> Parents have a duty to provide support for their children.<sup>2</sup> NRS 125B.070 provides that child support for two children is 25% of a parent's gross monthly income. A court may deviate from the child support formula set forth in NRS 125B.070 only upon (1) making findings of fact as to the basis for the deviation, and (2) providing in those findings of fact the presumptive support amount under the statutory formula.<sup>3</sup>

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<sup>1</sup>Wallace v. Wallace, 112 Nev. 1015, 922 P.2d 541 (1996).

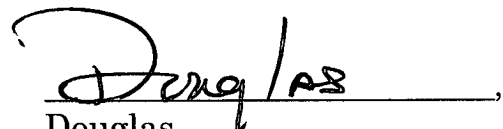
<sup>2</sup>NRS 125B.020.

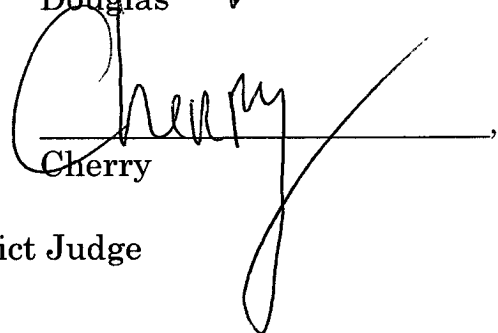
<sup>3</sup>NRS 125B.080(6); see also Jackson v. Jackson, 111 Nev. 1551, 1553, 907 P.2d 990, 992 (1995) (concluding that under NRS 125B.080(6), a district court "shall" make findings of fact explaining its reason for deviating from the statutory formula for child support).

Having reviewed the record and appellant's proper person appeal statement, we are not persuaded that the district court abused its discretion. Here, the district court deviated from the statutory amount in appellant's favor, by lowering his monthly support obligation. Further, the district court complied with NRS 125B.080's requirements and made written findings supporting the deviation, including the relative income of the parties. Finally, any error in the district court's refusal to require respondent to strictly comply with 4JDCR 6's requirements was harmless in light of the testimony presented at the hearing, and therefore reversal is not warranted on this ground.<sup>4</sup> Accordingly, we

ORDER the judgment of the district court AFFIRMED.

  
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Gibbons J.

  
\_\_\_\_\_  
Douglas J.

  
\_\_\_\_\_  
Cherry J.

cc: Hon. Andrew J. Puccinelli, District Judge  
Kirk D. Laird  
Gregory D. Corn  
Torvinen & Torvinen  
Elko County District Attorney  
Elko County Clerk

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<sup>4</sup>See NRCP 61.