

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANGELA M. TRANUM,
Appellant,
vs.
ROBERT E. TRANUM,
Respondent.

No. 49886

FILED

MAR 07 2008

TRACEE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from a final judgment in a divorce action. Third Judicial District Court, Churchill County; Leon Aberasturi, Judge.

Appellant challenges the portions of the divorce decree concerning the division of certain community property and debt, as well as the amount of spousal support awarded.¹

In granting a divorce, the district court is required, as much as practicable, to make an equal distribution of community property.² We review a district court's decision concerning divorce proceedings for an abuse of discretion, and we will affirm the court's rulings regarding the disposition of property in such proceedings if supported by substantial

¹After appellant filed her civil proper person appeal statement, respondent filed a response "with a motion to dismiss." Because respondent did not provide any arguments or grounds to warrant consideration of a motion to dismiss, any request for dismissal of this appeal is denied.

²See NRS 125.150(1)(b).

evidence.³ Substantial evidence is that which a sensible person may accept as adequate to sustain a judgment.⁴

Here, the district court determined, after considering the parties' pleadings and receiving testimony and exhibits, that it was equitable to assign respondent both a higher portion of the parties' community debt and a greater percentage of the parties' community property. The record supports that the amount of debt assigned to respondent is equivalent to or greater than the amount of extra community property he also received. In particular, the district court determined that appellant and respondent were responsible for any unpaid income taxes incurred during the marriage in proportion to their respective incomes earned during the marriage. The court also gave appellant two of the parties' vehicles as her separate property, and gave respondent three of the parties' vehicles as his separate property. Although the court awarded the tools to respondent as his sole and separate property, it also ordered respondent to pay \$350 per month in retroactive spousal support for five months to offset the \$4,000 value of the tools, and to compensate appellant for any delay respondent may have caused in litigating the divorce.

In rendering its decision, the court considered testimony and documentary evidence on the value of the parties' tools and vehicles, and the record supports the district court's valuation of those assets.

³Shydler v. Shydler, 114 Nev. 192, 196, 954 P.2d 37, 39 (1998).

⁴See Schmanski v. Schmanski, 115 Nev. 247, 251, 984 P.2d 752, 755 (1999).

Accordingly, having reviewed the record and considered appellant's civil proper person appeal statement, respondent's response, and appellant's reply, we conclude that the district court did not abuse its discretion when it disposed of the parties' community property and debt.

With regard to spousal support, appellant contends that the district court abused its discretion when it awarded her spousal support in an amount lower and for a duration less than she requested. According to appellant, the district court failed to appropriately consider the parties' respective financial conditions in the wake of the divorce.

The district court is entitled to wide discretion in determining whether to grant spousal support.⁵ NRS 125.150 authorizes the district court to award spousal support as is just and equitable. This court will not disturb the district court's decision regarding spousal support absent an abuse of discretion.⁶

Here, the district court, after considering the parties' respective financial conditions, employment histories and the length of the marriage, concluded that appellant is capable of reentering the workforce and that she should receive \$500 per month in spousal support for five years beyond the five months of retroactive spousal support that the court awarded as an offset for the tools.⁷ Thus, we conclude that the district

⁵Fick v. Fick, 109 Nev. 458, 464, 851 P.2d 445, 450 (1993).

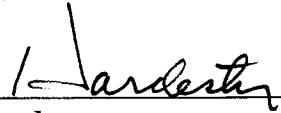
⁶Rodriguez v. Rodriguez, 116 Nev. 993, 13 P.3d 415 (2000).

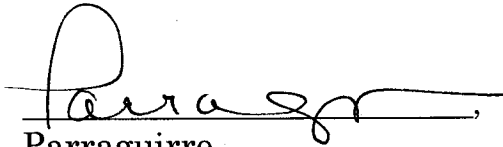
⁷See Sprenger v. Sprenger, 110 Nev. 855, 859, 878 P.2d 284, 287 (1994) (setting forth factors for the district court to consider in determining an appropriate spousal support award).

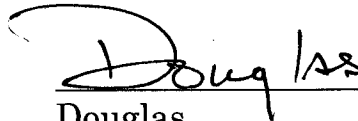
court did not abuse its discretion when it set the level and duration of spousal support.⁸

As the district court did not abuse its discretion with respect to division of community property and debts and spousal support, we

ORDER the judgment of the district court AFFIRMED.⁹


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Douglas

cc: Hon. Leon Aberasturi, District Judge
Angela M. Trantum
Robert E. Trantum
Churchill County Clerk

⁸To the extent that appellant asks this court to amend the final judgment to require respondent to notify appellant and the district court upon any increases in earnings, that request is denied. See NRS 125.150(7) (setting forth the procedure for seeking a modification in spousal support).

⁹We have considered appellant's remaining arguments regarding the district court's Internal Revenue Service determinations and respondent's alleged transfers of community property to his relatives and conclude that they lack merit.