

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN CRAIG WINTHROP,  
Appellant,  
vs.  
DENISE WITTMER, A/K/A DENISE  
GOMEZ,  
Respondent.

No. 50503

**FILED**

**OCT 08 2009**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Stoney  
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a post-judgment district court order denying appellant's motion to retroactively modify a child support order. Eighth Judicial District Court, Family Court Division, Clark County; Lisa M. Kent, Judge.

Having reviewed the appellant's arguments and the appellate record, we conclude that the district court did not abuse its discretion. Wallace v. Wallace, 112 Nev. 1015, 922 P.2d 541 (1996) (holding that child support matters rest in the district court's sound discretion); Cook v. Cook, 112 Nev. 179, 912 P.2d 264 (1996) (providing that the district court has broad discretion to grant or deny an NRCP 60(b) motion). In particular, retroactive modification of a child support obligation is prohibited. Khaldy v. Khaldy, 111 Nev. 374, 892 P.2d 584 (1995). Thus, the district court in its initial support obligation order erred by stating that appellant's obligation could be retroactively modified. Moreover, NRS 125B.050(2) does not allow a party to obtain relief from judgment at any time, but merely permits a party to file a motion to modify a support obligation after

a judgment has been entered. As recognized by our authority, however, retroactive modification is prohibited. Khaldy, 111 Nev. 374, 892 P.2d 584. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Cherry, J.  
Cherry

Douglas, J.  
Douglas

Gibbons, J.  
Gibbons

cc: Eighth Judicial District Court Dept. J, District Judge,  
Family Court Division  
James W. Krah  
Denise Wittmer  
Eighth District Court Clerk