

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALFONSO MALAGON,
Appellant,
vs.
ALEJANDRA MALAGON N/K/A
ALEJANDRA MCDEVITT A/K/A
ALEJANDRA VICENTE,
Respondent.

No. 53583

FILED

OCT 08 2009

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

ORDER OF AFFIRMANCE

This is a proper person appeal from a post-decree order. Fourth Judicial District Court, Elko County; Andrew J. Puccinelli, Judge.

On appeal, appellant contends that the district court improperly denied his motion for appointment of a special child advocate and his emergency motion for modification of the divorce decree due to changed circumstances.

The district court has wide discretion in all matters involving the care, custody, maintenance, and control of minor children. Noble v. Noble, 86 Nev. 459, 470 P.2d 430 (1970), overruled on other grounds by Westgate v. Westgate, 110 Nev. 1377, 887 P.2d 737 (1994). Thus, a district court's orders will not be disturbed absent an abuse of discretion. Noble, 86 Nev. at 464, 470 P.2d at 433. Finding no abuse of discretion in the district court's order, we

ORDER the judgment of the district court AFFIRMED.¹

Cherry, J.
Cherry

Douglas, J.
Douglas

Gibbons, J.
Gibbons

cc: Hon. Andrew J. Puccinelli, District Judge
Alfonso Malagon
Michelle L. Rodriguez
Elko County Clerk

¹We note that appellant failed to file a properly completed certificate of service for his notice of appeal, as directed in our June 16, 2009, order. We have, nonetheless, considered the merits of this appeal.

To the extent that appellant is alleging that the district court abused its discretion in denying visitation to appellant's relatives, we lack jurisdiction over this issue, as appellant is not an aggrieved party. NRAP 3A(a); Estate of Hughes v. First Nat'l Bank, 96 Nev. 178, 605 P.2d 1149 (1980); see also NRS 125C.050 (providing the basis upon which certain relatives and other persons may petition the district court for a right of visitation). Further, in light of this order, we deny as moot appellant's emergency motion for modification of the divorce decree.