

IN THE SUPREME COURT OF THE STATE OF NEVADA

RODNEY SCHILLING,
Appellant,
vs.
CHRISTINE SCHILLING,
Respondent.

No. 53714

FILED

NOV 19 2009

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

ORDER OF AFFIRMANCE

This is a proper person appeal from a divorce decree. First Judicial District Court, Carson City; James Todd Russell, Judge.

Appellant contends that the district court abused its discretion in determining that the lot on which the marital home was built was respondent's separate property, which the district court valued at \$68,500.

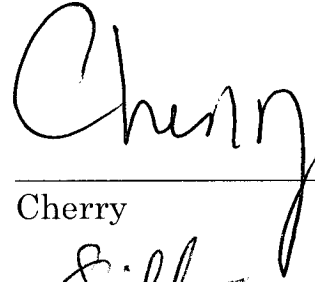
Here, the district court record reveals that the district court found that respondent's grandmother had gifted the lot to respondent and nothing in the district court record refutes that finding. Additionally, the parties had stipulated to the lot's value of \$68,500.

Having reviewed appellant's civil proper person appeal statement and the district court record, we conclude that appellant's argument does not warrant reversal of the district court's judgment. Gepford v. Gepford, 116 Nev. 1033, 1036, 13 P.3d 47, 49 (2000) (explaining that a district court's factual findings will be upheld if supported by substantial evidence in the record); Shydler v. Shydler, 114 Nev. 192, 196, 954 P.2d 37, 39 (1998) (providing that this court will affirm the district court's rulings in divorce proceedings if supported by

substantial evidence); NRS 123.130 (providing that all property owned by either spouse before the marriage or property that is acquired after marriage "by gift, bequest, devise, descent . . ." is separate property).

Accordingly, we

ORDER the judgment of the district court AFFIRMED.



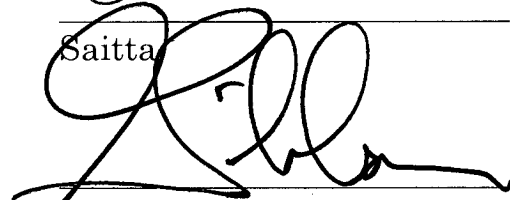
Cherry

J.



Saitta

J.



Gibbons

J.

cc: Hon. James Todd Russell, District Judge
Rodney Schilling
Allison W. Joffe
Carson City Clerk