

IN THE SUPREME COURT OF THE STATE OF NEVADA

PAUL D.S. EDWARDS,  
Appellant,  
vs.  
GREG HORNE,  
Respondent.

No. 53790

**FILED**

DEC 04 2009

ORDER OF AFFIRMANCE

TRACIA K. LINDEMAN  
CLERK OF SUPREME COURT  
BY    
DEPUTY CLERK

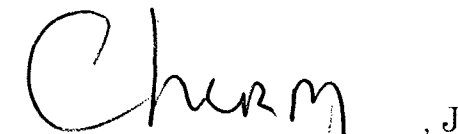
This is an appeal from a district court order granting an NRCP 60(b) motion to set aside a default judgment in a consumer protection action. Eighth Judicial District Court, Clark County; Abbi Silver, Judge.

NRCP 60(b)(1) allows a court to relieve a party from a final judgment due to mistake, inadvertence, surprise, or excusable neglect. We review the district court's order granting relief under this rule for an abuse of discretion. Stoecklein v. Johnson Electric, Inc., 109 Nev. 268, 849 P.2d 305 (1993). Having reviewed appellant's opening brief and the record on appeal, we conclude that the district court did not abuse its discretion in setting aside the default judgment as to respondent Greg Horne, also known as Gregory A. Horne, whose address between 2004 and 2006 was 1708 Glenlivet Drive, Dallas, Texas 75218. Accordingly, we

ORDER the judgment of the district court AFFIRMED.



Saitta

  
Cherry, J.

Cherry



Gibbons

cc: Hon. Abbi Silver, District Judge  
Paul D.S. Edwards  
Moran Law Firm, LLC  
Eighth District Court Clerk