IN THE SUPREME COURT OF THE STATE OF NEVADA

TOMMY J. GILSTRAP, SR.,
Appellant,
   vs.
MARILYN PENNINGTON; AND ELKO
COUNTY DISTRICT ATTORNEY
CHILD SUPPORT ENFORCEMENT,
Respondents.

No. 54699

FILED

JUL 2 0 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY _____
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court order affirming a court master's findings of fact and recommendations concerning child and spousal support arrears. Fourth Judicial District Court, Elko County; J. Michael Memeo, Judge.
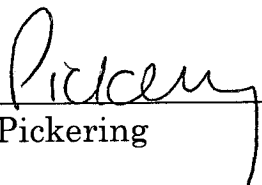
Having considered the parties' arguments on appeal and the appellate record, we conclude that the district court did not abuse its discretion in affirming the master's findings of fact and recommendations concerning appellant's child and spousal support arrears. See Wallace v. Wallace, 112 Nev. 1015, 922 P.2d 541 (1996) (providing that this court reviews district court child support orders for an abuse of discretion); Daniel v. Baker, 106 Nev. 412, 414, 794 P.2d 345, 346 (1990) (providing that the district court's spousal support decision will not be overturned absent an abuse of discretion). Appellant failed to argue below that the statute of limitations had expired on the 1962 California divorce decree or that equitable defenses prevented respondents from collecting on the child and spousal support arrears. Thus, we conclude that appellant is precluded from raising these arguments now. See Diamond Enters., Inc. v. Lau, 113 Nev. 1376, 1378, 951 P.2d 73, 74 (1997) (stating that an

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argument made for the first time on appeal is waived); cf. NRCP 8(c) (providing that statute of limitations, laches, and waiver are affirmative defenses, which must be raised in the pleadings). Because appellant's arguments on appeal are waived, we

ORDER the judgment of the district court AFFIRMED.

_____, J.
Hardesty

_____, J.
Douglas

_____, J.
Pickering

cc: Hon. J. Michael Memeo, District Judge
Bruce L. Gale
Elko County District Attorney
Marilyn Pennington
Elko County Clerk