

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE  
GUARDIANSHIP OF N. J., A MINOR.

No. 35010

IN THE MATTER OF THE ADOPTION  
OF N. J., A MINOR.

**FILED**

**MAR 13 2002**

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Richards*  
CHIEF DEPUTY CLERK

HIKMET J. AND RAJA J.,  
Appellants,  
vs.  
SAM Z. AND TALIA Z.,  
Respondents.

ORDER OF AFFIRMANCE

This is a proper person appeal from a district court order granting respondents' motion for summary judgment on appellants' claim concerning the appointment of a permanent guardian over the minor child.

Under NRCP 56(c), summary judgment is appropriate if there is no genuine issue of material fact and the moving party is entitled to judgment as a matter of law.<sup>1</sup> "A genuine issue of material fact is one where the evidence is such that a reasonable jury could return a verdict for the non-moving party."<sup>2</sup> A summary judgment is reviewed de novo.<sup>3</sup>


<sup>1</sup>See Butler v. Bogdanovich, 101 Nev. 449, 705 P.2d 662 (1985).


<sup>2</sup>Posadas v. City of Reno, 109 Nev. 448, 452, 851 P.2d 438, 441-42 (1993).


<sup>3</sup>Dermody v. City of Reno, 113 Nev. 207, 931 P.2d 1354 (1997); see also SIIS v. United Exposition Services Co., 109 Nev. 28, 846 P.2d 294 (1993) (summarizing authority for the conclusion that matters of law are reviewed de novo).

Having reviewed the record, we conclude that the district court did not err in granting respondents' motion for summary judgment, as respondents demonstrated that they are entitled to a favorable judgment.<sup>4</sup> Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>5</sup>

  
\_\_\_\_\_, J.  
Shearing

  
\_\_\_\_\_, J.  
Rose

  
\_\_\_\_\_, J.  
Becker

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<sup>4</sup>See NRS 159.044(1) (providing that "any concerned person may petition the court for the appointment of a guardian"); NRS 159.079(1) (stating that "a guardian of the person has the care, custody and control of the person of the ward"); NRS 159.186(1) (providing that if a guardian is appointed for a minor "the court shall not remove the guardian or appoint another person as guardian unless the court finds that removal of the guardian or appointment of another person as guardian is in the best interests of the minor").

<sup>5</sup>In light of this order, we deny respondents' June 30, 2000 motion to dismiss. In addition, on June 25, 2001, we granted appellants' attorney permission to withdraw as counsel of record, and ordered appellants to retain new counsel or inform this court that they did not intend to retain counsel. On August 15, 2001, appellants moved this court for permission to proceed in proper person, and requested leave to file any necessary documents to aid in the resolution of this appeal. See NRAP 46(b). As written briefs and additional documents are not necessary to resolve this appeal, we deny appellants' request for leave to file documents.

cc: Hon. Robert W. Lueck, District Judge, Family Court Division  
Law Offices of Michael F. Bohn, Ltd.  
Hikmet J.  
Raja J.  
Clark County Clerk