

IN THE SUPREME COURT OF THE STATE OF NEVADA

CECILIA STERN,  
Appellant,  
vs.  
YVES PIREZ; AND BROOKE BACK,  
Respondents.

No. 55334

CECILIA STERN,  
Appellant,  
vs.  
TIM MCKENNA; JENNIFER  
MCKENNA; AND KELLER WILLIAMS  
REALTY,  
Respondents.

No. 55335

FILED

DEC 09 2011

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *Angelina*  
DEPUTY CLERK

ORDER OF AFFIRMANCE

These are consolidated proper person appeals challenging the district court's denial of a motion for a new trial in a consolidated civil action.<sup>1</sup> Eighth Judicial District Court, Clark County; Timothy C. Williams, Judge.

<sup>1</sup>In response to the order consolidating these appeals, appellant informed this court that she was represented by counsel. Accordingly, this court entered an order to show cause why these matters should not be removed from the proper person pilot program. Subsequently, appellant indicated that she did not have counsel; thus, these matters have been processed as proper person appeals.

This court reviews an order denying a motion for a new trial for an abuse of discretion. Edwards Indus. v. DTE/BTE, Inc., 112 Nev. 1025, 1036, 923 P.2d 569, 576 (1996). On appeal, it appears that appellant argues that the district court failed to admit or consider certain evidence that she contends warranted a new trial and prejudged her motion for a new trial. Comparing the arguments in appellant's proper person appeal statement to the record, appellant failed to establish in her motion before the district court any of the grounds under NRCP 59(a) warranting a new trial. Thus, we conclude that the district court did not abuse its discretion in denying appellant's motion for a new trial.

To the extent that appellant seeks review of the final judgment entered against her after the jury trial, we conclude that the district court did not err in granting a judgment as a matter of law as to appellant's claims and that the jury had sufficient evidence before it to make a competent verdict regarding the counterclaims against appellant, and the verdict entered was not contrary to the evidence or to the law. See Soper v. Means, 111 Nev. 1290, 1294, 903 P.2d 222, 224 (1995). We further conclude that appellant has not demonstrated, nor does the record reveal, any error in the findings of fact, conclusions of law, and orders of the district court before and during the trial.

Finally, appellant also asks this court to review the purported mishandling of her case in district court. It appears that the gravamen of appellant's contentions is that the settlement of respondents Yves Pirez' and Brooke Back's claims against her compromised the trial in her litigation against the remaining respondents. Parties are generally bound by the stipulations executed by their attorney, and appellant has not

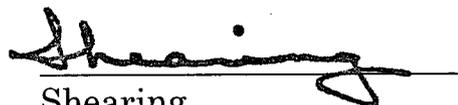
demonstrated that the settlement of those claims and stipulation to dismiss were made without her knowledge or authorization to warrant relief from judgment. See NC-DSH, Inc. v. Garner, 125 Nev. \_\_\_, 218 P.3d 853 (2009); Gottwals v. Rencher, 60 Nev. 35, 52, 98 P.2d 481, 484 (1940). Thus, we conclude this argument lacks merit.<sup>2</sup>

As we perceive no abuse of discretion or legal error by the district court, we

ORDER the judgment of the district court AFFIRMED.<sup>3</sup>

 \_\_\_\_\_, J.  
Pickering

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

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

cc: Hon. Timothy C. Williams, District Judge  
Cecilia Stern  
Weil & Drage, APC  
Brooke Back  
Yvez Pirez  
Eighth District Court Clerk

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<sup>2</sup>We have considered appellant's remaining arguments and determine that they are without merit.

<sup>3</sup>The Honorables Robert Rose and Miriam Shearing, Senior Justices, participated in the decisions of this matter under general orders of assignment