

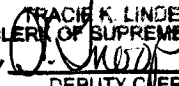
IN THE SUPREME COURT OF THE STATE OF NEVADA

BILLYDONNA INHABER,
Appellant,
vs.
HERBERT INHABER,
Respondent.

No. 55589

FILED

DEC 09 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from a district court post-decree order regarding child custody and child support. Eighth Judicial District Court, Family Court Division, Clark County; Charles J. Hoskin, Judge.

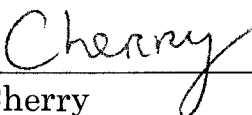
The parties have been divorced since 2003 and have one minor child, who has been the subject of protracted custody disputes. In 2007, respondent filed a motion to modify child custody, seeking primary physical custody of the parties' child. Appellant opposed the motion and filed a countermotion seeking to reduce child support arrears to judgment. Following an evidentiary hearing, the district court granted respondent's motion to modify custody and awarded primary physical custody of the minor child to respondent. Appellant was awarded visitation. The district court denied appellant's motion regarding child support. This appeal followed.

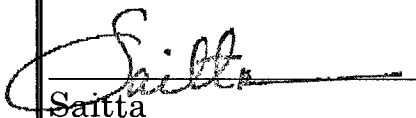
Having considered appellant's civil proper person appeal statement and the district court record, we conclude that the district court's order modifying child custody does not warrant reversal. Hansen v. Universal Health Servs., 115 Nev. 24, 27, 974 P.2d 1158, 1160 (1999) (recognizing that a district court's ruling on the admissibility of evidence is reviewed for an abuse of discretion); Sims v. Sims, 109 Nev. 1146, 865 P.2d 328 (1993) (providing that a district court's child custody decision will not be overturned absent a clear abuse of discretion). Appellant challenges several allegedly improper evidentiary rulings made by the

district court, but appellant failed to provide this court with a transcript of the hearing. Thus, we presume that the hearing transcript supports the district court's evidentiary decisions. Cuzze v. Univ. & Cmty. Coll. Sys. of Nev., 123 Nev. 598, 603, 172 P.3d 131, 135 (2007). We also conclude that the district court's modification order was not punitive, as substantial evidence supports the district court's decision to modify custody. Ellis v. Carucci, 123 Nev. 145, 149, 161 P.3d 239, 242 (2007) (providing that a district court's factual findings in a custody matter will not be set aside if supported by substantial evidence); Wallace v. Wallace, 112 Nev. 1015, 1019, 922 P.2d 541, 543 (1996) ("It is presumed that a trial court has properly exercised its discretion in determining a child's best interest.").

We also conclude that the district court did not abuse its discretion in denying appellant's motion to reduce alleged child support arrears to judgment. Wallace, 112 Nev. at 1019, 922 P.2d at 543 (recognizing that child support decisions will not be disturbed absent an abuse of discretion). Accordingly, as the district court did not abuse its discretion in modifying child custody or in denying appellant's motion regarding child support, we

ORDER the judgment of the district court AFFIRMED.¹


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

¹We also conclude that appellant's argument that reversal is warranted because, purportedly, the district court improperly ordered an immediate change of custody, lacks merit.

cc: Hon. Charles J. Hoskin, District Judge, Family Court Division
Billydonna Inhaber
Ethan M. Kottler
Eighth District Court Clerk