

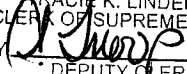
IN THE SUPREME COURT OF THE STATE OF NEVADA

CLINTON HOHENSTEIN,  
Appellant,  
vs.  
SHEILA HOHENSTEIN,  
Respondent.

No. 56205

**FILED**

MAR 18 2011

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

ORDER OF AFFIRMANCE

This is a proper person appeal from district court post-divorce decree orders. Second Judicial District Court, Family Court Division, Washoe County; Frances Doherty, Judge.<sup>1</sup>

Having considered appellant's civil proper person appeal statement and the district court record, we conclude that the district court did not abuse its discretion in adopting the master's recommendations regarding appellant's spousal support payment and the issue concerning respondent's car loan. Daniel v. Baker, 106 Nev. 412, 414, 794 P.2d 345, 346 (1990) (holding that the district court's spousal support decision will not be overturned absent an abuse of discretion); Shydler v. Shydler, 114 Nev. 192, 196, 954 P.2d 37, 39 (1998) (providing that the district court's decisions in divorce proceedings will be upheld if supported by substantial evidence).

Regarding the district court's decision to deny appellant's motion to modify child custody from joint physical custody to appellant having primary physical custody, we conclude that the district court did

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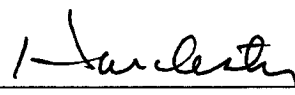
<sup>1</sup>To the extent that appellant seeks to challenge the divorce decree entered in June 2008 and the post-decree orders entered on July 29 and August 25, 2009, we lack jurisdiction over those orders because no timely notice of appeal was filed. See NRAP 4(a)(1); NRAP 26(c).

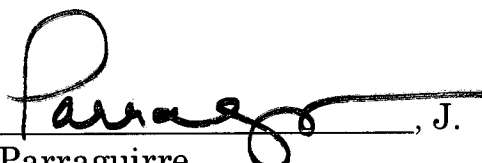
not abuse its discretion. Wallace v. Wallace, 112 Nev. 1015, 922 P.2d 541 (1996) (providing that a district court's child custody decision will not be overturned absent an abuse of discretion). Under the circumstances of this case, the district court record demonstrates that the court properly determined that it is in the child's best interest for the parties to share joint physical custody. NRS 125.480(1) ("[T]he sole consideration of the court [in child custody matters] is the best interest of the child."); Wallace, 112 Nev. at 1019, 922 P.2d at 543 ("It is presumed that a trial court has properly exercised its discretion in determining a child's best interest.").

Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>2</sup>

  
\_\_\_\_\_, J.  
Saitta

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Parraguirre

cc: Hon. Frances Doherty, District Judge, Family Court Division  
Clinton Hohenstein  
Sheila Hohenstein  
Washoe District Court Clerk

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<sup>2</sup>Having considered appellant's remaining arguments, we conclude that reversal on those points is not warranted.

We note that appellant filed a request for transcripts. Having reviewed the district court record, however, we conclude that no transcripts were necessary for our resolution of this appeal, and we therefore deny appellant's request.