

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN KINFORD,
Appellant,
vs.
MARCHETTA KINFORD,
Respondent.

No. 56492

FILED

MAR 21 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *T. Lindeman*
DEPUTY CLERK


ORDER OF AFFIRMANCE

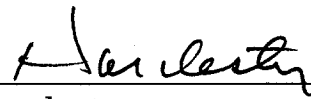
This is a proper person appeal from a district court post-divorce decree order concerning visitation with the parties' minor child. Third Judicial District Court, Lyon County; David A. Huff, Judge.

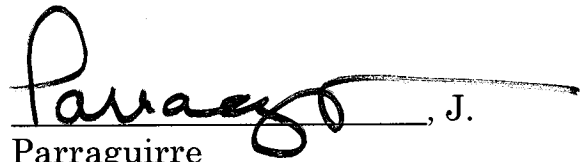
Having considered appellant's civil proper person appeal statement and the district court record, we conclude that the district court did not abuse its discretion in denying appellant's motion to modify the divorce decree to award him supervised visitation with the minor child. See Wallace v. Wallace, 112 Nev. 1015, 922 P.2d 541 (1996) (providing that a district court's decision regarding visitation will not be overturned absent an abuse of discretion); NRS 125C.010(1)(a) (providing, in relevant part, that a party's right of visitation must ensure that the child's best interest is achieved). Here, although it is unclear from the district court record whether the victim of appellant's criminal conduct is in fact his child, the fact remains that appellant was convicted of a Class A felony for sexually assaulting a minor. Moreover, the district court record demonstrates that appellant is considered a high-risk reoffender who will not benefit from treatment. Finally, we reject as meritless appellant's argument that reversal is warranted because the district court

erroneously found that he had been convicted of two counts of sexual assault rather than one count. Because we conclude that the district court did not abuse its discretion in denying appellant's motion to modify the divorce decree, we

ORDER the judgment of the district court AFFIRMED.¹


_____, J.
Saitta


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Hon. David A. Huff, District Judge
Steven Kinford
Rick Lawton
Lyon County Clerk

¹We note that although appellant filed a request for transcripts, the request was not properly served on any court reporter. NRAP 9(a)(3)(B). 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.