

IN THE SUPREME COURT OF THE STATE OF NEVADA

MANDY CARSRUD,

Appellant,

vs.

SHAWN CARSRUD,

Respondent.

No. 35160

FILED

JUL 12 2001

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a final divorce decree awarding primary physical custody of the parties' minor child to the respondent father.

On appeal, Mandy Carsrud first contends that the district court abused its discretion in awarding primary physical custody of the parties' minor child to respondent Shawn Carsrud. Mandy contends specifically that the district court failed to follow the recommendations of various experts and witnesses. We disagree. After reviewing the record, we are satisfied that the district court properly considered the child's best interests in making the custody determination and conclude that the district court's determination is supported by substantial evidence.¹

Mandy also contends that Judge Ames was biased in Shawn's favor based on the fact that Shawn's attorney is the daughter of the judge's secretary and based on instances of alleged actual bias manifested toward Mandy's attorney. We conclude, however, that this issue is not properly before us

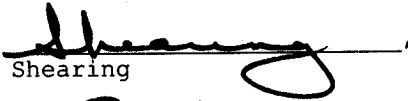
¹See Sims v. Sims, 109 Nev. 1146, 1148, 865 P.2d 328, 330 (1993) (holding that this court will uphold the district court's child custody determination if this court is satisfied that the district court properly considered the best interests of the child); Schwartz v. Schwartz, 107 Nev. 378, 385, 812 P.2d 1268, 1273 (1991) (holding that this court will uphold the district court's child custody determination if supported by substantial evidence).

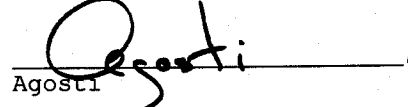
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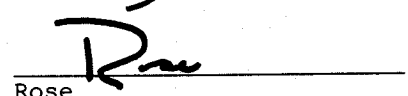
because it was not raised in the proceedings subject to this appeal.²

Having concluded that all of Mandy's contentions on appeal lack merit, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Shearing


_____, J.
Agosti


_____, J.
Rose

cc: Hon. Jack B. Ames, District Judge
Stringfield Law Office
Nancy L. Porter
Elko County Clerk

²See Singer v. Chase Manhattan Bank, 111 Nev. 289, 292, 890 P.2d 1305, 1307 (1995) (holding that, ordinarily, a party cannot raise an issue on appeal that was not raised below).