

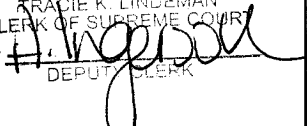
IN THE SUPREME COURT OF THE STATE OF NEVADA

MILTON I. SCHWARTZ, THROUGH
THE PERSONAL REPRESENTATIVE
OF THE ESTATE OF MILTON I.
SCHWARTZ,
Appellant,
vs.
ABIGAIL RICHLIN SCHWARTZ,
Respondent.

No. 57284

FILED

APR 27 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court order, following remand from this court, awarding lump sum spousal support. Eighth Judicial District Court, Family Court Division, Clark County; T. Arthur Ritchie, Jr., Judge.

We review a district court's grant of lump sum alimony for an abuse of discretion. Daniel v. Baker, 106 Nev. 412, 414, 794 P.2d 345, 346 (1990). Upon review of the record and briefs, particularly the transcript of the remand hearing, we conclude that the district court did not abuse its discretion. The district court properly followed our instructions on remand by "perform[ing] a complete analysis of whether lump-sum alimony is appropriate in this case." Schwartz v. Schwartz, 126 Nev. ___, ___, 225 P.3d 1273, 1276 (2010). Although it remarked that Milton Schwartz died shortly after its award of periodic alimony, the district court did not base its award of lump sum alimony solely on this fact. Rather, the court properly analyzed Mr. Schwartz's age, health, and life expectancy in

determining that lump sum alimony was appropriate.¹ For the foregoing reasons, we

ORDER the judgment of the district court AFFIRMED.

Cherry, J.
Cherry

Pickering, J.
Pickering

Hardesty, J.
Hardesty

cc: Hon. T. Arthur Ritchie, Jr., District Judge, Family Court Division
Robert E. Gaston, Settlement Judge
Sklar Williams LLP
Denise L. Gentile
Dickerson Law Group
Eighth District Court Clerk

¹We have reviewed Mr. Schwartz's remaining claim regarding the parties' premarital agreement and determine that it was not properly preserved for appeal and lacks merit.