

IN THE SUPREME COURT OF THE STATE OF NEVADA

GWENDOLYN PIRKLE,  
Appellant,  
vs.  
GARY PIRKLE,  
Respondent.

No. 57973

FILED

JAN 21 2014

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

*ORDER OF AFFIRMANCE*

This is an appeal from a district court divorce decree. Tenth Judicial District Court, Churchill County; William Rogers, Judge.

In the divorce decree, appellant was awarded \$900 per month in spousal support for an eight-year period starting from the time the parties separated, and thus, lasting only four years post-divorce decree. The district court also awarded appellant \$2,500 in attorney fees. On appeal, appellant challenges the spousal support and attorney fees awards.

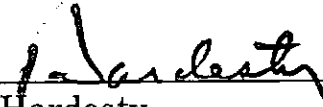
Having considered the parties' briefs and the record on appeal, we conclude that the district court did not abuse its discretion in limiting appellant's spousal support award to \$900 per month for an eight-year period, starting from the time the parties separated, as it considered the relevant statutory factors in determining an amount of spousal support that would be just and equitable. *See Wolff v. Wolff*, 112 Nev. 1355, 1359,


929 P.2d 916, 918-19 (1996) (explaining that this court reviews the district court's spousal support order for an abuse of discretion); *see also* NRS 125.150(1), (8)-(9) (providing that a court may award spousal support that is just and equitable and outlining the factors the court should consider in determining a spousal support award). Appellant failed to submit any evidence that her high blood pressure completely prevented her from working. Further, as she was receiving her share of respondent's retirement and was able to live rent free, she failed to establish a need for a larger amount of spousal support. While the district court's spousal support award included the temporary spousal support that it had previously awarded to appellant, the district court did not abuse its discretion in awarding spousal support for only four years post-divorce decree.

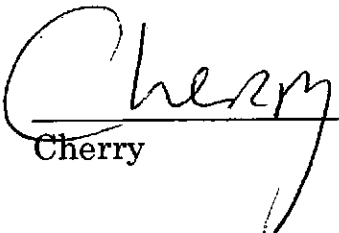
Further, the district court did not abuse its discretion in awarding appellant only \$2,500 in attorney fees or by denying her request for prospective attorney fees. *See Sprenger v. Sprenger*, 110 Nev. 855, 861, 878 P.2d 284, 288 (1994) (noting that "[t]he award of attorney's fees in divorce proceedings lies within the sound discretion of the trial judge"); *see also* NRS 125.150(3) (providing that the district court may award reasonable attorney fees in a divorce proceeding). The record demonstrates that there were very few issues to be resolved in the divorce. While appellant retained an attorney who had to drive one-hour each way to represent her in court, and thus, incurred significantly larger attorney fees than respondent, appellant is unable to point to anything in the

record that demonstrates that the district court abused its discretion in limiting her attorney fees award to \$2,500. Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>1</sup>

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

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Cherry

cc: Hon. William Rogers, District Judge  
Carolyn Worrell, Settlement Judge  
Jeffrey Friedman  
Steve E. Evenson  
Churchill County Clerk

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<sup>1</sup>While appellant also argues that the district court abused its discretion in failing to consider, as a community debt, the \$2,200 personal loan that she took from a friend to pay her attorney fees, appellant has waived this issue as she never requested such relief from the district court. *See Old Aztec Mine, Inc. v. Brown*, 97 Nev. 49, 52, 623 P.2d 981, 983 (1981) (providing that any point not raised in the district court is waived on appeal).