

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHEL LELLOUCHE,
Appellant,
vs.
MICHELE PAM LELLOUCHE,
Respondent.

No. 58242

FILED

APR 12 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *Alingosa*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from a district court post-divorce decree order concerning child support and child support arrears. Eighth Judicial District Court, Family Court Division, Clark County; Frank P. Sullivan, Judge.

Since the parties' divorce in 1997, they have repeatedly litigated issues relating to child custody, child support obligations, and responsibility for the children's medical expenses.¹ This appeal arises out of a district court order on remand adjudicating arrearages owed by appellant for child support and health care premiums and ordering appellant to pay \$112 per month for the health care premium of the parties' younger child. Appellant challenges these determinations.

Appellant asserts that the district court erroneously calculated the amount he owed respondent for unpaid child support by incorrectly determining the periods of time that appellant had custody of the parties' children and by improperly imputing certain amounts of income to him both before and after November 1, 2009. Appellant also argues that the

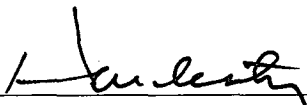
¹The parties' older child reached the age of 18 in 2010, and the younger child will be 18 years old in September 2013.

district court incorrectly calculated respondent's monthly income and erred by relying on respondent's previous schedule of arrearages. Having considered the parties' arguments and the record on appeal, we conclude that substantial evidence supports the district court's determinations on each of these issues. See Edgington v. Edgington, 119 Nev. 577, 588, 80 P.3d 1282, 1290 (2003) (explaining that this court reviews a district court's child support award for an abuse of discretion); see also Williams v. Williams, 120 Nev. 559, 566, 97 P.3d 1124, 1129 (2004) (providing that if a district court's factual determinations are supported by substantial evidence on appeal, this court will not disturb them). We therefore affirm that portion of the district court's order adjudicating the child support arrearages.

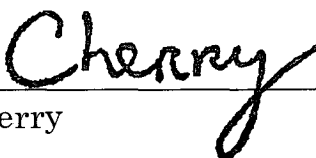
In regard to the health care premiums, appellant argues that the district court abused its discretion in ordering him to pay arrearages and in ordering him to pay \$112 per month for the health care premium of the parties' younger child. Appellant asserts that the district court erred in calculating the amount he owed in arrearages because the costs of the past health care premiums should have been divided equally between the parties during the periods when they shared custody of the children. Appellant also contends that he had previously attempted to obtain a different health insurance policy for the children and that respondent had refused to sign the forms to allow the change. Thus, he argues that he should not be liable for the health care premiums following respondent's refusal to sign the forms. The divorce decree provided, however, that appellant would be solely responsible for the children's health care premiums, and that obligation has never been modified. Moreover, the district court did not abuse its discretion by declining to permit appellant

time to conduct discovery on this issue because respondent submitted substantial evidence establishing the cost of the premiums. Because the record on appeal supports the district court's conclusions as to the amount of the premiums, both past and future, we affirm the district court's order as to the arrearages and as to appellant's ongoing obligation in this regard. See Edgington, 119 Nev. at 588, 80 P.3d at 1290; see also NRS 125B.020 (requiring a parent to provide a child with health care). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Cherry

cc: Hon. Frank P. Sullivan, District Judge, Family Court Division
Michel Lellouche
Law Offices of Robert L. Hempen II
Eighth District Court Clerk