

IN THE SUPREME COURT OF THE STATE OF NEVADA

THOMAS R. STOREY,  
Appellant,  
vs.  
JOHN P. KELLEHER,  
Respondent.

No. 60101

**FILED**

NOV 16 2012

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

ORDER OF AFFIRMANCE

This is a proper person appeal from a district court order granting contractual attorney fees in a real property contract action. Eighth Judicial District Court, Clark County; Valorie J. Vega, Judge.

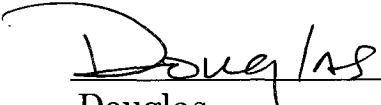
Respondent moved for attorney fees based on a contractual provision, which the district court granted. Appellant then filed a motion for reconsideration, which was denied.<sup>1</sup> Appellant argues on appeal that the district court erred in awarding respondent attorney fees, as the attorney fee provision in the contract provided only for an award of attorney fees to appellant as the property owner and in awarding respondent attorney fees on appeal.

An award of attorney fees is reviewed for a manifest abuse of discretion. Kahn v. Morse & Mowbray, 121 Nev. 464, 479, 117 P.3d 227, 238 (2005). Having reviewed appellant's proper person appeal statement and the record on appeal, we conclude that appellant has not shown that

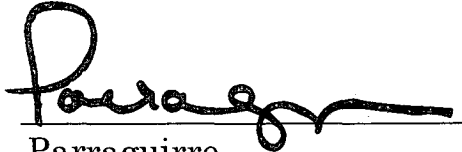
<sup>1</sup>Appellant also appeals from the district court's denial of his motion for reconsideration of the order granting respondent attorney fees. Although the district court improperly determined that appellant's motion was untimely, the district did not err in denying appellant's motion as it did not include any new arguments, facts, or issues of law. EDCR 2.24.

the district court manifestly abused its discretion in awarding respondent contractual attorney fees. McCrary v. Bianco, 122 Nev. 102, 108-09, 131 P.3d 573, 577 (2006) (stating that contractual attorney fees provisions providing for the award of fees to one party are reciprocal as a matter of law); Musso v. Binick, 104 Nev. 613, 614-15, 764 P.2d 477, 477 (1988) (holding that an award of contractual attorney fees includes attorney fees incurred on appeal). Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>2</sup>

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

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Parraguirre

cc: Hon. Valorie J. Vega, District Judge  
Thomas R. Storey  
Mary F. Chapman  
Eighth District Court Clerk

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<sup>2</sup>We conclude that all other arguments made in appellant's appeal statement lack merit, and therefore, do not warrant reversal.