

IN THE SUPREME COURT OF THE STATE OF NEVADA

CLAUDIA L. TOWNSEND-SMITH,
Appellant,
vs.
GREGORY R. SMITH,
Respondent.

No. 61759

FILED

DEC 17 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY: *[Signature]*
REPLY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from a district court post-divorce decree order directing payment of unreimbursed medical expenses. Second Judicial District Court, Washoe County; Egan K. Walker, Judge.

The district court entered a judgment in the amount of \$4,697.51 against appellant and in favor of respondent, which represented appellant's one-half share of the children's unreimbursed medical expenses. On appeal, appellant contends that the judgment was unfair because respondent intends to eliminate his share of these medical expenses by filing for bankruptcy. Appellant also contends that she was not given the opportunity to present evidence of medical expenses that she has paid over the past 11 years.

We conclude that appellant's contentions are without merit. Under the divorce decree, the parties agreed to equally divide the children's health care expenses that were not covered by insurance. Additionally, NRS 125B.080(7) provides that health care expenses must be equally borne by the parents absent extraordinary circumstances. Here, the district court entered an order well before the evidentiary hearing, advising the parties to be prepared to present evidence concerning the medical expenses. Respondent presented proof of the medical expenses for

which he had paid. But the district court found that appellant did not meaningfully dispute the medical bills, and instead asserted other wrongs that had been done to her and made her own claim for reimbursement of medical expenses, which she had not documented or sought reimbursement for since the 2002 divorce.

Having review the record, we conclude that the district court's order is supported by the evidence and that the court did not abuse its discretion in entering a judgment against appellant for her share of the children's unreimbursed medical expenses paid by respondent. See *Wallace v. Wallace*, 112 Nev. 1015, 1019, 922 P.2d 541, 543 (1996) (stating that child support determinations are within the district court's sound discretion); see also *Rico v. Rodriguez*, 121 Nev. 695, 701, 120 P.3d 812, 816 (2005) (explaining that the district court's factual findings will be upheld if they are supported by substantial evidence). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Pickering, C.J.
Pickering

Hardesty, J.
Hardesty

Cherry, J.
Cherry

cc: Hon. Egan K. Walker, District Judge
Claudia L. Townsend-Smith
Gregory R. Smith
Washoe District Court Clerk