

IN THE SUPREME COURT OF THE STATE OF NEVADA

LOREN K. BRAZELL,
Appellant,
vs.
DEBRA BRAZELL,
Respondent.

No. 67932

FILED

JAN 15 2016

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE


This is a pro se appeal from a district court post-divorce decree order awarding attorney fees. Second Judicial District Court, Family Court Division, Washoe County; Frances Doherty, Judge.

On appeal, appellant challenges the award of \$10,215.01 in attorney fees to respondent. In granting respondent's request for attorney fees, the district court reasoned that appellant had submitted multiple motions seeking the same relief that had been denied on past occasions. The court noted that it had previously cautioned the parties that "it may award fees in the future if needless litigation is necessitated by either party." Although appellant argues that he was not aware of that admonishment until shortly after he filed his motion, the district court recognized that appellant could have withdrawn his motion or chosen not to file multiple supplemental motions thereafter.

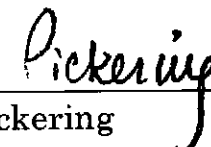
Additionally, respondent submitted an affidavit in support of the requested fees under *Brunzell v. Golden Gate National Bank*, 85 Nev. 345, 349-50, 455 P.2d 31, 33 (1969). The district court stated that it carefully reviewed respondent's affidavit and the attached billing statements along with appellant's reply in opposition. The district court

noted counsel's efforts in representing respondent throughout many portions of the litigation process, made findings as to the *Brunzell* factors, and determined that \$10,215.01 was an appropriate award of fees. *Id.* at 349, 455 P.2d at 33. We have considered appellant's arguments and reviewed the record on appeal, and we conclude that appellant has not demonstrated that the district court abused its discretion in awarding the attorney fees. *See Miller v. Wilfong*, 121 Nev. 619, 622, 119 P.3d 727, 729 (2005) (stating that an award of attorney fees in a divorce proceeding is within the district court's sound discretion). Accordingly, we

ORDER the judgment of the district court AFFIRMED.¹


_____, J.
Hardesty


_____, J.
Saitta


_____, J.
Pickering

cc: Hon. Frances Doherty, District Judge, Family Court Division
Loren K. Brazell
Debra Brazell
Kelli Anne Vioria
Washoe District Court Clerk

¹On December 4, 2015, respondent filed a notice of substitution of counsel requesting that respondent, in pro se, be substituted in place of her attorney Kelli Anne Vioria, Esq. We construe the notice as a motion to withdraw, and we grant the motion. *See* NRAP 46(e)(3). The clerk of this court shall remove Kelli Ann Vioria, Esq., and the Law Offices of Kelli Anne Vioria as counsel of record for respondent.