

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

KRISTEE D. JORDAN,  
Appellant,  
vs.  
RICHARD BRADLEY,  
Respondent.

No. 70537

**FILED**

NOV 27 2017

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER OF REVERSAL AND REMAND*

Kristee D. Jordan appeals from a district court order partially denying her motion to reduce child support arrearages to judgment. Eighth Judicial District Court, Clark County; Vincent Ochoa, Judge.

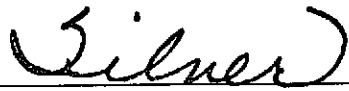
The underlying child support order required respondent Richard Bradley to pay \$270 per month in child support. In January 2016, Jordan moved the district court to reduce to judgment arrears that had apparently accrued under that order since February 2009, and Bradley failed to oppose that motion. The district court nonetheless only reduced those arrearages to judgment that accrued within three years before Jordan filed her motion and denied the remainder of her request, finding that reaching further back would be unfair to Bradley. This appeal followed.

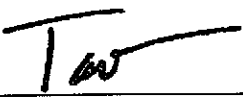
Because the district court's order did not identify the legal theory relied on to determine that reducing arrearages that accrued more than three years prior to the motion would be unfair, on appeal Jordan attacks that decision on multiple grounds. First, Jordan argues that the district court's decision was erroneous insofar as it based its decision on the application of a statute of limitations. *See Holcomb Condo. Homeowners' Ass'n v. Stewart Venture, LLC*, 129 Nev. 181, 186-87, 300 P.3d 124, 128 (2013) (reviewing the application of a statute of limitations de novo where

the facts were uncontroverted). As relevant here, NRS 125B.050(3) provides that there is no limitation on the time to commence an action to collect arrearages under a child support order. *See Davidson v. Davidson*, 132 Nev. \_\_\_, \_\_\_, 382 P.3d 880, 883 (2016) (recognizing that NRS 125B.050(3) “specifically invest[s] the district courts with the authority to enforce child support orders regardless of the age of the claim”). Thus, we agree with Jordan that, to the extent the district court may have partially denied her request to reduce arrearages to judgment on statute of limitations grounds, that decision was improper.

Jordan next argues that, to the extent the partial denial of her motion was based on laches, that decision was unsupported by the factors set forth in *Miller v. Burk*, 124 Nev. 579, 598, 188 P.3d 1112, 1125 (2008), which holds that, in evaluating whether a party’s claim is barred by laches, the district court must consider “(1) whether the party inexcusably delayed bringing the [claim], (2) whether the party’s inexcusable delay constitutes acquiescence to the condition the party is challenging, and (3) whether the inexcusable delay was prejudicial to others.” We need not engage in an exhaustive evaluation of all of the *Miller* factors, however, because Jordan’s delay of approximately 7 years in moving to reduce arrearages to judgment was not inexcusable. *See* 124 Nev. at 598, 188 P.3d at 1125. Thus, insofar as the district court applied the equitable doctrine of laches to partially deny Jordan’s motion, it abused its discretion in doing so. *See Wallace v. Wallace*, 112 Nev. 1015, 1019, 922 P.2d 541, 543 (1996) (reviewing a child support order for an abuse of discretion). Accordingly, based on the reasoning set forth above, we

ORDER the judgment of the district court REVERSED AND  
REMAND this matter to the district court for proceedings consistent with  
this order.<sup>1</sup>

, C.J.  
Silver

, J.  
Tao

, J.  
Gibbons

cc: Hon. Vincent Ochoa, District Judge  
Hutchison & Steffen, LLC  
Richard Bradley  
Eighth District Court Clerk

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<sup>1</sup>Given our resolution of this appeal, we need not reach Jordan's remaining arguments.