

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN LYNCH, AN INDIVIDUAL; AND
KELLIE FUHR,
Appellants,
vs.
YEHIA AWADA, AN INDIVIDUAL,
Respondent.

No. 73561

FILED

SEP 28 2018

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

ORDER OF AFFIRMANCE

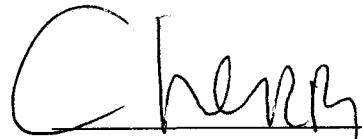
This is an appeal from a final judgment in an action to enforce a foreign judgment. Eighth Judicial District Court, Clark County; Jerry A. Wiese, Judge.

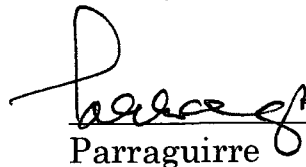
Having considered the parties' arguments and the record, we conclude that the district court properly denied appellants' motion for declaratory relief and application to enforce a foreign judgment. *See Leven v. Frey*, 123 Nev. 399, 402, 168 P.3d 712, 714 (2007) (reviewing de novo a district court's interpretation of whether a statute's procedural requirements require strict or substantial compliance). Although appellants contend that the district court erred in interpreting NRS 17.214(3) and *Leven* to require strict compliance,¹ "a court cannot deviate from . . . judgment renewal conditions purposefully stated by the Legislature." *Id.* at 409, 168 P.3d at 719. Accordingly, "[t]he judgment creditor or the judgment creditor's successor in interest *shall* notify the


¹We reject appellants' additional argument that the statutory notice requirement was satisfied by registration through the federal court's electronic filing system because NRS 17.214(3) requires notice by certified mail.

judgment debtor of the renewal of the judgment by sending a copy of the affidavit of renewal by certified mail, return receipt requested” NRS 17.214(3) (emphasis added); *Markowitz v. Saxon Special Servicing*, 129 Nev. 660, 665, 310 P.3d 569, 572 (2013) (“The word ‘shall’ is generally regarded as mandatory.”). Because NRS 17.214(3) was not strictly complied with, the district court did not err by denying appellants’ motion for declaratory relief and application to enforce a foreign judgment. Based on the foregoing, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Cherry


_____, J.
Parraguirre


_____, J.
Stiglich

cc: Hon. Jerry A. Wiese, District Judge
Lansford W. Levitt, Settlement Judge
Jerimy Kirschner & Associates, P.C.
The Wright Law Group
Eighth District Court Clerk