

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JUSTIN CHANG,
Appellant,
vs.
BRANDEE GREEN,
Respondent.

No. 68437

FILED

MAR 1 1 2016

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

ORDER DISMISSING APPEAL IN PART AND AFFIRMING IN PART

This is an appeal from district court orders determining child custody and support and awarding attorney fees. Eighth Judicial District Court, Family Court Division, Clark County; Jennifer Elliott, Judge.

In this appeal, appellant challenges numerous decisions contained in the district court's order awarding primary physical custody and child support to respondent.¹ The district court's order demonstrates, however, that appellant expressly waived his right to appeal that order. *See Mahban v. MGM Grand Hotels, Inc.*, 100 Nev. 593, 596, 691 P.2d 421, 423 (1984) ("A waiver is the intentional relinquishment of a known right."). Furthermore, appellant has failed to raise any argument on appeal that the waiver was unenforceable, and, thus, he has waived any such argument. *See Powell v. Liberty Mut. Fire Ins. Co.*, 127 Nev. 156, 161 n.3, 252 P.3d 668, 672 n.3 (2011) (explaining that "[i]ssues not raised in an appellant's opening brief are deemed waived"). Thus, we dismiss this appeal with regard to appellant's challenges to the district court's order regarding child custody and support. *See Wheeler v. Floral Mill & Mining*

¹At the direction of the Nevada Supreme Court, respondent has filed a response to appellant's civil appeal statement.

Co., 10 Nev. 200, 202-03 (1875) (dismissing the defendant's appeal based on the parties' stipulation that the defendant had waived his right to appeal, and noting that the defendant was the party who had requested the stipulation).

In a separate order, the district court also awarded respondent attorney fees. While appellant asserts that he should have been awarded attorney fees instead of respondent, he does not provide any argument as to how the district court abused its discretion in awarding fees to respondent or in declining to award appellant his fees. As appellant failed to provide any cogent argument regarding this issue, we decline to address it, and, thus, necessarily affirm the award of attorney fees to respondent. *See Edwards v. Emperor's Garden Rest.*, 122 Nev. 317, 330 n.38, 130 P.3d 1280, 1288 n.38 (2006) (providing that appellate courts need not consider claims that are not cogently argued on appeal).

It is so ORDERED.²


_____, C.J.
Gibbons


_____, J.
Silver

cc: Hon. Jennifer Elliott, District Judge, Family Court Division
Justin Chang
Hutchison & Steffen, LLC
Eighth District Court Clerk

²The Honorable Jerome T. Tao, Judge, voluntarily recused himself from participation in the decision of this matter.