


IN THE SUPREME COURT OF THE STATE OF NEVADA

HAROLD BRIAN KRIEG,
Appellant,
vs.
REGINA FRIEDMAN,
Respondent.

No. 37123

FILED

JUN 03 2003

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK


ORDER OF AFFIRMANCE

This is a proper person appeal from a district court order entering judgment for appellant on a jury verdict and awarding attorney fees and costs to respondent under NRCP 68 and NRS 17.115. We have reviewed the record in this appeal, and we conclude that the district court did not err.¹

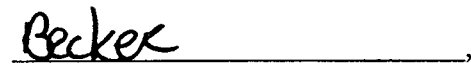
¹See NRS 17.115(4) (authorizing an award of attorney fees and costs to a party making an offer of judgment if the offeree failed to obtain a more favorable judgment); NRCP 68(f) (same); Beattie v. Thomas, 99 Nev. 579, 589, 668 P.2d 268, 274 (1983) (establishing factors to assess the propriety of an NRS 17.115(4) and NRCP 68(f) award of fees and costs); Yamaha Motor Co. v. Arnoult, 114 Nev. 233, 252, 955 P.2d 661, 673 (1998) (modifying the Beattie factors when the offeree is the defendant); Uniroyal Goodrich Tire v. Mercer, 111 Nev. 318, 324, 890 P.2d 785, 789 (1995) (affirming an award of fees and costs where the record reflected the district court's consideration of the Beattie factors).

Accordingly we,

ORDER the judgment of the district court AFFIRMED.²


_____, J.
Shearing


_____, J.
Leavitt


_____, J.
Becker

cc: Hon. Michael L. Douglas, District Judge
Edwards, Hale, Sturman, Atkin & Cushing, Ltd.
Harold Brian Krieg
Clark County Clerk

²The other arguments advanced by Krieg in his proper person documents are without merit. See NRS 42.005 (requiring a showing of fraud, oppression, or malice by clear and convincing evidence for an award of punitive damages); NRCP 59(a) (providing that motion for new trial based on newly discovered evidence is properly brought before the district court). Although appellant was not granted leave to file papers in proper person, see NRAP 46(b), we have considered the proper person documents received from appellant.