

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

IN THE MATTER OF THE ESTATE OF
MAURICE LAHUE, DECEASED.

No. 69567

AMY LAHUE,
Appellant,

vs.

PAMELA OLEKAS; ESTATE OF
MAURICE LAHUE; AND LAHUE
FAMILY TRUST 1/29/98,
Respondents.¹

FILED

FEB 10 2017

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

ORDER OF AFFIRMANCE

This is an appeal from a district court order for distribution of estate assets. Eighth Judicial District Court, Clark County; Gloria Sturman, Judge.


Appellant Amy Lahue was the administrator of her father's estate and successor trustee of the family trust, which was the recipient of most of the assets of the estate. After Lahue and her sister, respondent Pamela Olekas, entered into a settlement agreement resolving various issues relating to the estate and the trust, and the district court approved the settlement agreement, Lahue petitioned the district court for a final order to settle the estate and distribute her father's assets, including distribution of the trust assets. The district court granted the petition and ordered the final distribution, and this appeal followed.

¹When this matter was docketed on appeal, Solomon Dwiggins & Freer, Ltd. and Lawyers West were listed as respondents on the docket sheet. But these were the law firms that represented the parties below, rather than parties themselves. Accordingly, the clerk of the court shall conform the caption on this appeal to the caption on this order.

On appeal, Lahue argues that, although the settlement agreement did not specifically provide for her to receive payment for acting as administrator of the trust, it did not preclude such payment, to which she was entitled under the terms of the trust. To the extent that Lahue's appellate arguments may be construed as challenging either the settlement agreement or the final order for distribution, she waived her appellate arguments by failing to raise them in the district court.² *See Old Aztec Mine, Inc. v. Brown*, 97 Nev. 49, 52, 623 P.2d 981, 983 (1981) ("A point not urged in the trial court, unless it goes to the jurisdiction of that court, is deemed to have been waived and will not be considered on appeal."). And because Lahue has not raised any other argument asserting that the final order for distribution was improperly entered, we necessarily affirm that order.

It is so ORDERED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

²Insofar as Lahue argues that the final order for distribution is being improperly interpreted and enforced, that argument is beyond the scope of this appeal as it involves issues that arose after the district court's entry of that order. And in light of our decisions in this order, we do not reach Lahue's argument with regard to the amount of fees she contends that she should receive for administering the trust.

cc: Hon. Gloria Sturman, District Judge
Amy Lahue
Solomon Dwiggin & Freer, Ltd.
Lawyerswest, Inc.
Eighth District Court Clerk