

IN THE SUPREME COURT OF THE STATE OF NEVADA

RITA MONTAGUE-BRILEY, A/K/A  
RITA TRUAX,

No. 37358

Appellant,

vs.

JOHN THOMAS TRUAX,

Respondent.

**FILED**

NOV 15 2001

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

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court concerning child custody and support, an income tax exemption, and the release of a lien.

Matters of custody and support of minor children rest in the sound discretion of the district court.<sup>1</sup> The district court's custody determination will not be disturbed absent a clear abuse of discretion, so long as this court is satisfied that the determination was made for the appropriate reasons.<sup>2</sup> Moreover, the district court may order the noncustodial parent to pay child support in the minimum amount of \$100 per month per child.<sup>3</sup> We conclude that the district court did not abuse its discretion when it awarded respondent primary physical custody of the minor children and ordered appellant to pay \$100 per child each month in child support.

Finally, as to the issues of the 1993 income tax exemption and the release of the lien, the district court has the authority to enforce a final judgment and any previous order made by the court.<sup>4</sup> Accordingly, we conclude that the district court did not abuse its discretion when it recognized that the divorce decree entitled respondent to claim the children as dependents on his 1993 income tax return, and when it

<sup>1</sup>Wallace v. Wallace, 112 Nev. 1015, 1019, 922 P.2d 541, 543 (1996).

<sup>2</sup>Hopper v. Hopper, 113 Nev. 1138, 946 P.2d 171 (1997).

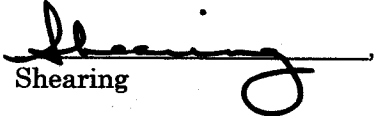
<sup>3</sup>NRS 125B.080(4).

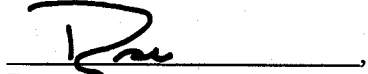
<sup>4</sup>NRS 125.240.


ordered appellant to release the lien on respondent's home, as the attorney fees obligation had been satisfied.

Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>5</sup>

  
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Shearing J.

  
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Rose J.

  
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Becker J.

cc: Hon. Steven E. Jones, District Judge,  
Family Court Division  
Rita Montague-Briley  
John Thomas Truax  
Clark County Clerk

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<sup>5</sup>Although appellant and respondent have not been granted leave to file papers in proper person, see NRAP 46(b), we have considered the proper person documents received from the parties.