

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

FREDERICK OMOYUMA SILVER,
Appellant,
vs.
CANDICE KATIE TOWNER,
Respondent.

No. 77787-COA

FREDERICK OMOYUMA SILVER,
Appellant,
vs.
CANDICE KATIE TOWNER,
Respondent.

No. 78067-COA

FILED

APR 13 2020

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

ORDER OF AFFIRMANCE

In these consolidated appeals, Frederick O moyuma Silver appeals from district court orders entered in a child support matter. Eighth Judicial District Court, Family Court Division, Clark County; T. Arthur Ritchie, Jr., Judge.

In early 2017, the Clark County District Attorney Family Support Division (DAFS) initiated child support proceedings on behalf of respondent Candice Towner and against Silver. The hearing master issued a recommendation determining that Silver was the legal father based on his name appearing on the child's birth certificate and recommending a child support order. After no objection to the recommendation was filed, the recommendation automatically became an order of the court pursuant to

NRS 425.3844. In September 2017, Silver challenged the paternity determination and child support order after collection efforts were initiated, alleging that he was not the child's father and his name was placed on the birth certificate without his consent. The hearing master heard testimony that the parties obtained a prenatal DNA test indicating Silver was the father and that he voluntarily signed the birth certificate, noted that Silver never objected to the master's recommendation as to paternity, and concluded that paternity was therefore properly established. In October 2017, again after no objection to the recommendation was filed, the master's recommendation was automatically adopted as a court order pursuant to statute.

In December 2018, Silver filed his notice of appeal in Docket No. 77787. At a hearing in January 2019, the hearing master modified the child support order to remove the arrearages payment, noting that the DAFS indicated Silver had a credit to his arrears balance. The hearing master's recommendation again denied Silver's request to disestablish paternity as there was no basis to reconsider the prior orders. After no objection was filed, that recommendation became an order pursuant to statute and was filed in February 2019. In January 2019, Silver filed his notice of appeal in Docket No. 78067.

This court reviews a child support order for an abuse of discretion. *Wallace v. Wallace*, 112 Nev. 1015, 1019, 922 P.2d 541, 543 (1996); see also *Flynn v. Flynn*, 120 Nev. 436, 440, 92 P.3d 1224, 1227 (2004). An abuse of discretion occurs when the district court's decision is not supported by substantial evidence. *Miller v. Miller*, 134 Nev. 120, 125, 412

P.3d 1081, 1085 (2018) (stating that in child support matters, this court “will uphold the district court’s determination if it is supported by substantial evidence” (quoting *Flynn*, 120 Nev. at 440, 92 P.3d at 1227)).

On appeal, Silver appears to challenge the district court’s orders adopting the hearing master’s recommendations regarding paternity and child support. But he fails to make any cogent argument as to how the district court abused its discretion in adopting the hearing master’s recommendations, particularly in light of the fact that Silver failed to timely file an objection to any of the recommendations. *See Edwards v. Emperor’s Garden Rest.*, 122 Nev. 317, 330 n.38, 130 P.3d 1280, 1288 n.38 (2006) (explaining that this court need not consider claims that are not cogently argued); *see also* NRS 425.3844.

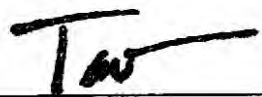
Further, to the extent Silver’s assertions on appeal could be construed as challenging the court’s orders on the grounds that paternity has not been established, this argument is without merit. The record reveals that the hearing master heard testimony that the parties obtained a prenatal DNA test indicating Silver was the father and that he voluntarily signed the birth certificate. And this court does not reweigh witness credibility or the evidence on appeal. *See Ellis v. Carucci*, 123 Nev. 145, 152, 161 P.3d 239, 244 (2007) (refusing to make credibility determinations on appeal); *Quintero v. McDonald*, 116 Nev. 1181, 1183, 14 P.3d 522, 523 (2000) (refusing to reweigh evidence on appeal). Moreover, as noted above, Silver failed to timely object to the master’s recommendation regarding paternity prior to the court adopting that recommendation as its order. *See*

NRS 425.3844. Thus, substantial evidence supports the district court's conclusion as to paternity. *See Miller*, 134 Nev. at 125, 412 P.3d at 1085.

Accordingly, we

ORDER the judgment of the district court AFFIRMED.¹


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. T. Arthur Ritchie, Jr., District Judge, Family Court Division
Frederick Omoyuma Silver
McFarling Law Group
Eighth District Court Clerk

¹Insofar as Silver raises arguments that are not specifically addressed in this order, we have considered the same and conclude that they either do not present a basis for relief or need not be reached given the disposition of this appeal. Further, we have considered Silver's numerous additional filings on appeal and deny all other requests for relief currently pending in this case.