

IN THE SUPREME COURT OF THE STATE OF NEVADA

DIRECTOR OF INDUSTRIAL
RELATIONS, STATE OF CALIFORNIA,
UNINSURED EMPLOYERS FUND,
Appellant,
vs.
DK PRODUCTIONS, INC., A NEVADA
CORPORATION; KIMBERLIE
CHAMBERS, AND DIMITRI
SOTIRAKIS, INDIVIDUALLY AND AS
SHAREHOLDERS,
Respondents.

No. 37450

FILED

NOV 21 2002

JANETTE H. BLOOM
CLERK OF SUPREME COURT
BY *J. Richard*
DEPUTY CLERK

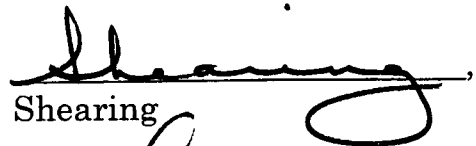
ORDER OF REVERSAL

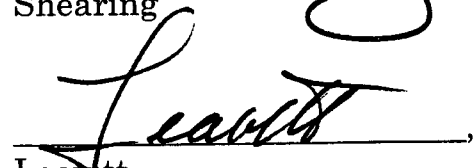
This is an appeal from a district court judgment granting respondents relief from a foreign judgment for lack of personal jurisdiction. Respondents DK Productions and its major shareholders (collectively "DK") are Nevada residents. California resident Harry Mathias was injured while working for DK on a commercial shoot in Nevada. Mathias filed a worker's compensation claim in California. DK appeared in the California proceedings, thereby giving California personal jurisdiction. Mathias was awarded benefits, and when appellant, State of California Uninsured Employer's Fund, sought payment from DK for the benefits, DK filed a motion for relief from the California judgment in Nevada district court.


Because DK appeared in the California proceedings, we conclude that Nevada must accord full faith and credit to California's judgment awarding Mathias benefits. The Full Faith and Credit Clause of the United States Constitution requires Nevada courts to honor the final judgments of sister states, "absent a showing of fraud, lack of due process,

or lack of jurisdiction in the rendering state.”¹ DK had an opportunity to present its jurisdictional arguments when it appeared in the California proceedings.² We conclude that DK improperly sought to relitigate the question of jurisdiction in Nevada.³ DK should have directly appealed the judgment to the California courts. Accordingly, we reverse the judgment of the district court, and remand for proceedings consistent with this order.

It is so ORDERED.


_____, J.
Shearing


_____, J.
Leavitt


_____, J.
Becker

cc: Hon. Michael L. Douglas, District Judge
Anthony S. Mischel
John F. Wiles
Hardy & Hardy
Clark County Clerk

¹Clint Hurt & Assocs. v. Silver State Oil, 111 Nev. 1086, 1088, 901 P.2d 703, 705 (1995).

²See Durfee v. Duke, 375 U.S. 106, 114 (1963) (stating that a party who had opportunity to contest a court’s jurisdiction cannot then collaterally attack the court’s decision).

³See id.