

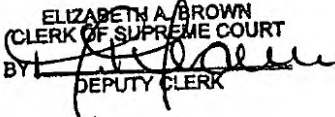
IN THE SUPREME COURT OF THE STATE OF NEVADA

ANGELITA WILLIAMS,  
Appellant,  
vs.  
DERRIC POLLARD,  
Respondent.

No. 83349

FILED

MAR 09 2023

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court order denying a motion for NRCP 60(b) relief. Eighth Judicial District Court, Clark County; Monica Trujillo, Judge.

We conclude that the district court was within its discretion in denying appellant's NRCP 60(b) motion on the ground that it was not timely filed. *See Rodriguez v. Fiesta Palms, LLC*, 134 Nev. 654, 656, 428 P.3d 255, 257 (2018) (reviewing for an abuse of discretion a district court's decision to deny NRCP 60(b) relief). Namely, the district court observed that even though the default judgment against appellant was entered in May 2020, appellant did not file her NRCP 60(b) motion until May 2021, which was well beyond NRCP 60(c)'s six-month time frame for seeking relief under NRCP 60(b)(1).

Although appellant contends that the district court should have construed the motion as seeking relief under NRCP 60(b)(4) and that it was consequently filed within a "reasonable time" for purposes of NRCP 60(c), we are not persuaded that the district court committed plain error in failing to construe appellant's motion as such. *Cf. McNair v. Rivera*, 110 Nev. 463, 468 n.6, 874 P.2d 1240, 1244 n.6 (1994) (recognizing the general concept of

plain-error review in the civil litigation context). In this regard, appellant's motion cited only NRCP 60(b)(1) and that subsections' standard for when relief may be appropriate. Moreover, appellant argued only that her motion satisfied NRCP 60(c)'s six-month time frame due to tolling. Based upon the contents of appellant's motion (or lack thereof), we cannot conclude that the district court should have sua sponte construed appellant's motion as seeking relief under NRCP 60(b)(4). *Cf. Schuck v. Signature Flight Support of Nev., Inc.*, 126 Nev. 434, 438, 245 P.3d 542, 545 (2010) (“[A] district court is not obligated to wade through and search the entire record for some specific facts which might support [a] party's claim.” (internal quotation marks omitted)). Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>1</sup>



\_\_\_\_\_, J.  
Herndon



\_\_\_\_\_, J.  
Lee



\_\_\_\_\_, J.  
Parraguirre

cc: Hon. Monica Trujillo, District Judge  
Legal Aid Center of Southern Nevada, Inc.  
Neal S. Krokosky  
Claggett & Sykes Law Firm  
Maier Gutierrez & Associates  
Eighth District Court Clerk

---

<sup>1</sup>In light of this disposition, we need not consider appellant's arguments that are premised on appellant having filed an NRCP 60(b)(4) motion.