

IN THE SUPREME COURT OF THE STATE OF NEVADA

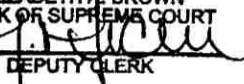
IN THE MATTER OF THE
APPLICATION OF FOR NAME
CHANGE FOR CHRISTOPHER
LOWRY.

CHRISTOPHER LOWRY,
Appellant.

No. 88911

FILED

OCT 17 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a pro se appeal from a district court order dismissing a petition for an adult name change. Eleventh Judicial District Court, Pershing County; Jim C. Shirley, Judge.

While in prison, appellant Christopher Lowry petitioned to legally change his name for religious reasons. The district court denied Lowry's petition, but this court reversed that decision and remanded for the district court to apply the statutes governing name change applications, NRS 41.270-.290. *In re Lowry*, 140 Nev., Adv. Op. 38, 549 P.3d 483, 486 (2024) (holding that felons, regardless of offense, may petition to change their name so long as they comply with name-change statutes). On remand, the district court dismissed the petition, citing Lowry's failure to provide a sufficiently narrow reason for the name change, submit required fingerprints, and provide a statement signed under penalty of perjury that the name change is not for a fraudulent purpose, all of which are required by NRS 41.270, and to publish a statement that he has filed such an application in a newspaper of general circulation, which is required by NRS 41.280. Lowry appeals.

Lowry asserts that the district court erred by overlooking his compliance with the name-change statutes. Reviewing the denial of

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Lowry's name-change petition for an abuse of discretion, *In re Salazar*, 138 Nev., Adv. Op. 69, 518 P.3d 873, 874 (2022), we affirm.

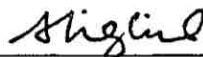
NRS 41.270 provides that a verified petition "must state the applicant's present name," the newly desired name, the reason for the change, and whether the applicant has a felony conviction and must "include a statement signed under penalty of perjury that the applicant is not changing [their] name for a fraudulent purpose." NRS 41.280 provides that the applicant must publish a statement acknowledging the filing of the name-change petition in a newspaper of general circulation. While Lowry complied with some of these requirements, he failed to comply with others and thus the district court properly dismissed the petition.

As to the petition's compliance, we agree with Lowry that he provided a sufficiently narrow reason (religion) for the name change. See, e.g., *In re Salazar*, 138 Nev., Adv. Op. 69, 518 P.3d at 874-75 (holding that petitioner met name-change requirements by plainly stating they seek the change to conform to gender identity). As to its noncompliance, however, Lowry's petition fails to include an explicit statement, signed under penalty of perjury, that the name change is not for a fraudulent purpose. Cf. *id.* (holding that petitioner met name-change requirements by including a statement signed under penalty of perjury that the name change was not for a fraudulent purpose). In this, we are not persuaded by Lowry's argument that he complied with this requirement by signing a verification about the veracity of his statements and citing NRS 41.270 in a separately filed motion to clarify. Lowry verified only that he is the petitioner, he knows the contents of the petition, and he "believes the pleading is true." Additionally, Lowry has a criminal record, so he is required to provide a complete set of his fingerprints taken in a manner prescribed by the

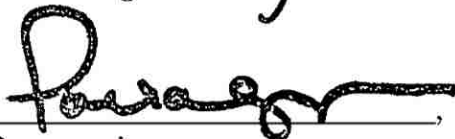
Director of the Department of Public Safety. NRS 41.270. A set of his fingerprints was apparently missing from his application. Finally, the district court found that the "Big Nickel" is not a newspaper of general circulation to satisfy NRS 41.280's publication requirement. Lowry challenges that finding. Although this court has observed that a special interest newspaper may be considered "a newspaper of a general circulation" when it also includes "news of a general character and of a general interest, and to some extent circulates among the general public," see *Nevada State Press Ass'n v. Fax, Inc.*, 79 Nev. 82, 84, 378 P.2d 674, 675 (1963), nothing in the record suggests that Big Nickel meets that criteria.

As Lowry's petition fell short of at least three statutory requirements, we detect no abuse of discretion by the district court in dismissing Lowry's petition. See *In re Lowry*, 140 Nev., Adv. Op. 38, 549 P.3d at 486 (emphasizing compliance with all name-change statute requirements). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Stiglich


_____, J.
Pickering


_____, J.
Parraguirre

cc: Hon. Jim C. Shirley, District Judge
Christopher Lowry
Clerk of the Court/Court Administrator