

IN THE SUPREME COURT OF THE STATE OF NEVADA

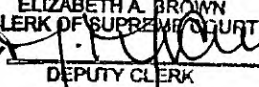
IN THE MATTER OF THE PARENTAL
RIGHTS AS TO: B.B.T., A MINOR

KATHERINE DEE F.,
Appellant,
vs.
MICHAEL J.; AND BRANDI J.,
Respondents.

No. 88417

FILED

NOV 13 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

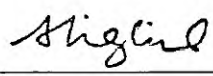
This is a pro se appeal from a district court order denying a motion to set aside an order terminating appellant's parental rights as to the minor child. Second Judicial District Court, Family Division, Washoe County; Tamatha Schreinert, Judge.

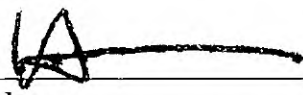
Appellant Katherine Dee F.'s parental rights as to B.B.T. were terminated on April 2, 2021. Katherine did not appeal that order. Over two years later, on December 15, 2023, Katherine filed a motion to set aside the order terminating parental rights. Katherine asserted the order should be set aside because respondents Michael and Brandi J., B.B.T.'s adoptive parents, were not permitting B.B.T. to maintain a relationship with B.B.T.'s half-sibling. Katherine also asserted that she expected to be released from prison soon, as she had filed a petition for a writ of habeas corpus. The district court denied Katherine's motion as untimely and because Katherine had failed to demonstrate relief was warranted under NRCPC 60(b). Katherine appealed.

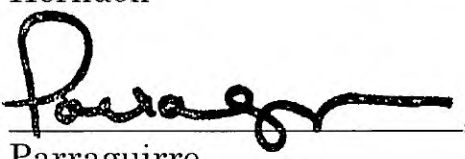
We conclude the district court did not abuse its discretion in denying Katherine's motion. *See Rodriguez v. Fiesta Palms, LLC*, 134 Nev. 654, 656, 428 P.3d 255, 257 (2018) (providing that this court reviews a

district court's decision to deny a motion for NRCP 60(b) relief for an abuse of discretion). The district court correctly concluded that Katherine's motion was filed well beyond NRCP 60(c)'s six-month time frame for seeking relief under NRCP 60(b)(1)-(3), and not within a reasonable time. NRCP 60(c)(1). Additionally, the court correctly noted that Katherine failed to identify the provision of NRCP 60(b) under which relief was sought. And the two grounds on which Katherine sought to set aside the order terminating parental rights—B.B.T. not seeing their half-sibling and Katherine's potential release from prison—would not warrant relief under NRCP 60(b). *See Willard v. Berry-Hinckley Indus.*, 136 Nev. 467, 470, 469 P.3d 176, 179-80 (2020) (explaining the movant bears the burden of establishing, by a preponderance of the evidence, that grounds for NRCP 60(b) relief exist); *see also* NRS 128.120 (providing that after a district court enters an order terminating parental rights, "the court has no power to set aside, change or modify it"). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Stiglich


_____, J.
Herndon


_____, J.
Parraguirre

cc: Hon. Tamatha Schreinert, District Judge, Family Division
Katherine Dee F.
Brandi J.
Michael J.
Washoe District Court Clerk