


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DOMINIC MORALES,
Appellant,
vs.
RAYNESHA MAYFIELD,
Respondent.

No. 87503-COA

FILED
JAN 31 2025
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Dominic Morales appeals from a district court order affirming and adopting a hearing master's recommendation to deny his motion to vacate a child support order. Eighth Judicial District Court, Family Division, Clark County; Regina M. McConnell, Judge.

The underlying case arises from the initiation of proceedings to compel Morales to pay child support to respondent Raynesha Mayfield for their minor child by the Clark County District Attorney's Family Support Division (DAFS). Shortly after that case was filed, Morales signed and the district court entered an "order upon consent," in which Morales acknowledged he was the father of the minor child and agreed to pay Mayfield child support in the amount of \$354 per month, plus \$35 per month for arrears, for a total monthly payment of \$389. The consent order further acknowledged that Morales owed \$962 in support arrears at the time of the order and that those arrearages were reduced to judgment. The consent order was entered on December 3, 2019.

The record indicates that Morales made his support payments under the consent order for several years without issue. But approximately three-and-a-half years later, on June 28, 2023, Morales filed a “motion to demand relief from void judgment” seeking to set aside the consent order. Morales presented a variety of arguments, including attacking the district court’s subject matter jurisdiction over the case and its personal jurisdiction over him, arguing that he only signed the consent order under duress, and that the entire process for determining child support is unconstitutional. Morales further argued that the district court judge who signed the consent order should have recused from the case. DAFS filed an opposition to the motion, asserting it was untimely filed more than six-months after the consent order was entered and noting that Morales had complied with that order for several years before he stopped making payments just prior to filing his motion. Mayfield did not file her own opposition and Morales did not file a reply.

Morales’ motion was heard by a hearing master who denied the same, concluding that the district court had jurisdiction over the case under the Nevada Constitution and the child support statutes set forth in the Nevada Revised Statutes. The master further concluded that personal jurisdiction over Morales was proper as he was served with DAFS’s initial filings and then signed the consent order, which was entered by the district court. The master also concluded that Morales failed to make out a prima facie case that he signed the consent order under duress and that he reaffirmed his consent to the order by making voluntary child support payments.

Morales subsequently filed an objection to the hearing master's decision, asserting, among other things, that the master should have recused from the case. DAFS filed a response to the objection. Thereafter, the district court entered an order adopting and affirming the master's decision and this appeal followed.

This court reviews a district court's decision regarding a motion for NRCP 60(b) relief for an abuse of discretion. *See Cook v. Cook*, 112 Nev. 179, 181-82, 912 P.2d 264, 265 (1996) (providing that a decision to grant or deny a motion to set aside a judgment under NRCP 60(b) is reviewed for an abuse of discretion).

On appeal, Morales presents a variety of broad legal assertions purportedly challenging the denial of his motion for relief from the consent order, albeit with limited explanation as to how these arguments actually relate to his case or the consent order. Among other things, Morales suggests that the district court lacked subject matter jurisdiction over his case and personal jurisdiction over him, that he rescinded his signature on the contract due to fraud and misrepresentation, and that Mayfield did not suffer an "injury in fact" and does not have standing to sue. We address these arguments below.

"Subject matter jurisdiction is 'the court's authority to render a judgment in a particular category of case.'" *Landreth v. Malik*, 127 Nev 175, 183, 251 P.3d 163, 168 (2011) (quoting *J.C.W. ex rel. Webb v. Wyciskalla*, 275 S.W.3d 249, 253 (Mo. 2009)). Here, while Morales summarily asserts that the district court lacked subject matter jurisdiction, he offers no cogent argument or explanation as to why the Eighth Judicial District Court,

Family Division, does not have subject matter jurisdiction over the underlying child support case. Under these circumstances, we conclude that this argument does not provide a basis for relief from the challenged order. See *Edwards v. Emperor's Garden Rest.*, 122 Nev. 317, 330 n.38, 130 P.3d 1280, 1288 n.38 (2006) (holding that the appellate courts need not consider claims that are not cogently argued).

To the extent that Morales suggests he should be relieved from having to pay child support under the consent order due to purported fraud and misrepresentation that induced him to sign the agreement, he likewise provides no cogent argument or explanation regarding the nature of the alleged fraud and misrepresentation or why he undisputedly continued to pay support under the consent order for three-and-a-half years under these alleged circumstances. *Id.* Moreover, in the district court, Morales couched his fraud and misrepresentation argument to suggest that he signed the consent order under duress. On appeal, however, he fails to discuss this issue in these terms or address the district court's finding that he failed to present "a prima facie case that he was under duress when he signed" the consent order. See *Powell v. Liberty Mut. Fire Ins. Co.*, 127 Nev. 156, 161 n.3, 252 P.3d 668, 672 n.3 (2011) (providing that "[i]ssues not raised in an appellant's opening brief are deemed waived"). Given the foregoing, Morales' fraud and misrepresentation argument does not provide a basis for relief.¹

¹Morales' request for NRCP 60(b) relief from the consent order based on purported fraud and misrepresentation was also untimely filed well

Turning to Morales' assertion that Mayfield did not suffer an "injury in fact" such that she does not have standing to sue, Morales offers no argument or explanation on this point beyond this summary statement and, thus, in the absence of any cogent argument, we do not consider this argument. *See Edwards*, 122 Nev. at 330 n.38, 130 P.3d at 1288 n.38.

Finally, to the extent Morales argues that the consent order should be set aside because the district court lacked personal jurisdiction over him, that argument lacks merit. While Morales does not expound on why he believes the court lacks jurisdiction over him on appeal, below his argument was premised on the assertion that he was not properly served with the initial support petition filed by DAFS. But the record on appeal demonstrates that Morales never objected to service until filing his post-judgment motion for relief from the consent order. Instead, his sole action up to that point was to sign off on and agree to the entry of the consent order. Thus, any challenge to personal jurisdiction or service of process has been waived. *See Hansen v. Eighth Jud. Dist. Ct.*, 116 Nev. 650, 656, 6 P.3d 982, 986 (2000) (providing that "[o]bjections to personal jurisdiction, process, or service of process are waived . . . if not made in a timely motion or not included in a responsive pleading such as an answer").


Based on the reasoning set forth above, we discern no abuse of discretion in the district court's denial of Morales' motion for relief from the

beyond NRCP 60(c)(1)'s six-month time period for seeking relief on such grounds. Notably, notice of entry of the consent order was served on Morales on December 4, 2019, but Morales did not file his motion for relief from that order until June 28, 2023.

consent order. *See Cook*, 112 Nev. at 181-82, 912 P.2d at 265. Accordingly, we affirm the district court's denial of Morales' motion.

It is so ORDERED.²


_____, C.J.
Bulla


_____, J.
Gibbons


_____, J.
Westbrook

cc: Hon. Regina M. McConnell, District Judge, Family Division
Dominic Morales
Raynesha Mayfield
Eighth District Court Clerk

²To the extent any of Morales' arguments are not addressed in this order, we have considered those arguments and conclude they do not provide a basis for relief.