


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RONALD CHRISTOPHER MARQUART,  
Appellant,  
vs.  
VERNIETA LYNNE MARQUART,  
Respondent.

No. 90708-COA

**FILED**

**MAR 30 2026**

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Ronald Christopher Marquart appeals from a final district court order regarding a post-divorce decree motion to modify alimony. First Judicial District Court, Carson City; Kristin Luis, Judge.

In August 2024, Ronald and respondent Vernieta Lynne Marquart, who were married in 2000, filed a joint petition for divorce which included a clause requiring Ronald to pay Vernieta specified amounts of alimony on the first of each month. In August 2024, the district court entered a divorce decree granting the joint petition and ordering alimony as stipulated to by the parties in the joint petition. In January 2025, Vernieta filed a motion alleging, inter alia, that Ronald had failed to pay alimony as ordered in the decree and seeking an order to enforce the decree. Ronald filed an opposition and countermotion to modify his alimony obligations. Following a hearing, in April 2025, the district court entered a written order granting in part and denying in part Ronald's motion to modify the alimony award.<sup>1</sup> This appeal followed.

---

<sup>1</sup>The district court granted Ronald's request to modify the alimony award such that he was only required to provide alimony for 12 years after entry of the decree of divorce.

Ronald argues the district court erred by denying in part his motion to modify alimony. This court reviews district court decisions regarding alimony for an abuse of discretion. *Davitian-Kostanian v. Kostanian*, 139 Nev. 247, 252, 534 P.3d 700, 705 (2023). This court will “not disturb the district court’s rulings if they are supported by substantial evidence, which is that which a sensible person may accept as adequate to sustain a judgment.” *Id.* (internal quotation marks omitted).

Ronald first contends the alimony obligation is too high given the reduction in his income since the divorce. “The spouse who is ordered to pay the alimony may, upon changed circumstances, file a motion to modify the order,” NRS 125.150(11)(b), and the district court may modify its order for a party to make periodic alimony payments pursuant to a divorce decree upon a finding of changed circumstances, NRS 125.150(8). To that end, the district court may “analyze any factors the court considers relevant, including changes to the income of the spouse who is ordered to pay alimony.” *Davitian-Kostanian*, 139 Nev. at 252, 534 P.3d at 705 (internal quotation marks omitted); *see also* NRS 125.150(12) (providing that “a change of 20 percent or more in the gross monthly income of a spouse who is ordered to pay alimony shall be deemed to constitute changed circumstances requiring a review for modification of the payments”).

The district court conducted a hearing regarding Ronald’s motion where the parties presented information and testified. In a written order entered following the hearing, the district court found that Ronald’s monthly income had “barely changed” in that it was currently \$8,599 and was \$8,620 at the time the divorce decree was entered. The court thus found Ronald did not demonstrate changed circumstances warranting modification of the monthly alimony payments. Ronald does not challenge

these findings on appeal, and this court will not second guess a district court's resolution of factual issues involving conflicting evidence so long as its decision is supported by substantial evidence. *See Ellis v. Carucci*, 123 Nev. 145, 152, 161 P.3d 239, 244 (2007).

Further, to the extent Ronald's contentions concern evidence and arguments presented at the hearing and challenge the district court's findings based on the evidence and arguments, Ronald filed a certificate stating that he was not requesting transcripts in this matter.<sup>2</sup> As such, Ronald did not provide this court with the transcript of the relevant hearing as required. *See* NRAP 9(a)(1), (2) (requiring appellants to request transcripts of district court proceedings that are necessary for consideration of the appeal and to provide certified copies of the transcripts). We necessarily presume that the transcript supports the district court's findings, and thus, we conclude substantial evidence supports the district court's findings regarding Ronald's income and its ultimate decision on his request to modify his alimony payments. *See Cuzze v. Univ. & Cmty. Coll Sys. of Nev.*, 123 Nev. 598, 603, 172 P.3d 131, 135 (2007) (noting that it is appellant's burden to ensure that a proper appellate record is prepared and that, if the appellant fails to do so, "we necessarily presume that the missing [documents] support[] the district court's decision"). For these reasons, we conclude Ronald is not entitled to relief based on this argument.<sup>3</sup>

---

<sup>2</sup>We note the supreme court issued notice to Ronald in which it instructed him that he had 14 days from the date of the notice to either file and serve a rough draft transcript request form or file and serve a certificate that no transcripts were being requested. The notice cited specifically to NRAP 9.

<sup>3</sup>On appeal, Ronald also argues his alimony obligation is too high because he now has an added expense in the form of a vehicle payment.

Ronald also contends the district court improperly considered income he receives from military disability benefits in evaluating his request to modify alimony in violation of NRS 125.165. We disagree. The district court properly considered Ronald's military disability benefits in determining his income and whether he demonstrated a change in circumstances warranted modifying his monthly alimony obligation. See *Oshiro v. Oshiro*, 141 Nev., Adv. Op. 59, 579 P.3d 1024, 1031 (2025) ("NRS 125.165 prohibits a court from directly dividing military disability benefits for alimony purposes, but by its plain language, it does not prohibit a court from considering the existence or value of those benefits as part of a holistic review of the divorcing couple's financial circumstances and capacity to pay alimony.")<sup>4</sup> Therefore, we conclude Ronald is not entitled to relief based on

---

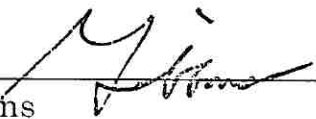
Ronald did not make this argument in his motion to modify the alimony award. He also does not assert that he raised this issue at any other point during the district court proceedings. Because Ronald does not demonstrate this issue was presented for consideration by the district court, he does not demonstrate he is entitled to relief. See *Ryan's Express Transp. Servs., Inc. v. Amador Stage Lines, Inc.*, 128 Nev. 289, 299, 279 P.3d 166, 172 (2012) ("An appellate court is not particularly well-suited to make factual determinations in the first instance."); *Old Aztec Mine, Inc. v. Brown*, 97 Nev. 49, 52, 623 P.2d 981, 983 (1981) (explaining that issues not argued below are "deemed to have been [forfeited] and will not be considered on appeal").

<sup>4</sup>We recognize that *Oshiro* had not been decided at the time the district court denied Ronald's motion. However, we may still use the supreme court's later interpretation of a statute to determine whether the district court's legal conclusions were correct. See *Rivers v. Roadway Express, Inc.*, 511 U.S. 298, 313 n.12 (1994) (providing that a court's interpretation of a statute "is explaining its understanding of what the statute has meant continuously since the date when it became law"); *Davidson v. Davidson*, 132 Nev. 709, 713, 382 P.3d 880, 883 (2016)

this contention. See *Davitian-Kostanian*, 139 Nev. at 252, 534 P.3d at 705.  
Accordingly, we

ORDER the judgment of the district court AFFIRMED.

\_\_\_\_\_  
Bulla , C.J.

\_\_\_\_\_  
Gibbons , J.

\_\_\_\_\_  
Westbrook , J.

cc: Hon. Kristin Luis, District Judge  
Ronald Christopher Marquart  
Vernieta Lynne Marquart  
Carson City Clerk

---

(providing that “[t]his court’s goal in construing statutes is to uphold the intent of the Legislature”).