

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RABIH HAMDAN,  
Appellant,  
vs.  
AVIR HAMDAN,  
Respondent.

No. 90273-COA

**FILED**

APR 16 2026

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY W. James  
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Rabih Hamdan appeals from a post-divorce decree district court order concerning alimony. Eighth Judicial District Court, Family Division, Clark County; Nadin Cutter, Judge.

Rabih and respondent Avir Hamdan were divorced pursuant to a divorce decree entered in April 2022. Rabih was ordered to pay Avir alimony in the amount of \$2,648 per month. In April 2023, Avir filed a motion for an order to show cause why Rabih should not be held in contempt for failure to pay Avir alimony as ordered by the district court. Rabih filed an opposition and a countermotion to modify alimony. In December 2023, the district court conducted an evidentiary hearing on Avir's motion for an order to show cause regarding unpaid alimony and Rabih's countermotion to modify alimony. Following the hearing, the district court found Rabih in civil contempt and ordered him to pay \$45,016 for unpaid alimony arrears and denied his motion to modify his monthly alimony obligation contained within the divorce decree.<sup>1</sup> This appeal followed.

<sup>1</sup>We note that Rabih does not challenge the district court's denial of his request to modify his alimony obligation on appeal. He has thus forfeited any challenge related to the same. *See Palmieri v. Clark County*,

Rabih first argues the district court abused its discretion by finding him in contempt because it failed to make factual findings that his failure to pay alimony was willful or done in bad faith. Rabih contends the district court's decision to hold him in contempt was instead based on conjecture because the court relied on assumptions regarding his ability to pay alimony. Rabih asserts the district court's findings as to his ability to pay were not supported by substantial evidence and instead were the result of erroneous findings related to his business accounts and home equity.

This court reviews contempt orders for an abuse of discretion. *Lewis v. Lewis*, 132 Nev. 453, 456, 373 P.3d 878, 880 (2016); *see also Vaile v. Vaile*, 133 Nev. 213, 217, 396 P.3d 791, 794-95 (2017) (explaining that, while orders of contempt are not appealable, this court has jurisdiction to review contempt findings when included in an order that is otherwise independently appealable). Disobedience to a lawful court order constitutes contempt. NRS 22.010(3). "An order on which a judgment of contempt is based must be clear and unambiguous, and must spell out the details of compliance in clear, specific and unambiguous terms so that the person will readily know exactly what duties or obligations are imposed on him." *Cunningham v. Eighth Jud. Dist. Ct.*, 102 Nev. 551, 559-60, 729 P.2d 1328, 1333-34 (1986).

Here, the district court found there was a clear and unambiguous order that established that Rabih was required to pay Avir monthly alimony and that Rabih had not made the majority of the payments as ordered. The district court also found that Rabih had the ability to pay the ordered alimony award based on his financial condition at the time the

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131 Nev. 1028, 1033 n.2, 367 P.3d 442, 446 n.2 (Ct. App. 2015) (stating that issues that are not raised on appeal are deemed forfeited).

divorce decree was entered, which included findings that he had millions of dollars and owned or managed several businesses. The court also found Rabih failed to demonstrate a substantial change in circumstances regarding his finances since entry of the decree that would warrant modification. Following the evidentiary hearing held in this matter, the district court found that (1) Rabih's businesses were valued at \$400,000 in a post-decree evaluation; (2) the financial documentation he submitted indicated he makes a total monthly income of \$10,823.00 from his businesses; (3) he has over \$300,000 in equity in his home; and (4) he has access to a bank account that contained \$248,000.

Although Rabih argues on appeal that evidence regarding his financial condition was disputed, he does not specifically challenge these findings, and he fails to demonstrate they are clearly erroneous.<sup>2</sup> See *Eivazi v. Eivazi*, 139 Nev. 408, 411, 537 P.3d 476, 482 (Ct. App. 2023) (“This court reviews the district court’s factual findings deferentially and will not set them aside unless they are clearly erroneous or unsupported by substantial evidence.”). At the evidentiary hearing, Rabih testified that he had not paid Avir alimony as required because he could not afford to. Rabih explained that he was taking care of the parties’ three children and did not have complete access to the \$248,000 in the bank account because those were funds generated by the business he co-owned with his brother. Rabih also

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<sup>2</sup>We note that Rabih’s appendix contained only the evidentiary hearing transcript and the district court’s order. Rabih has not provided this court with copies of the divorce decree, any motion practice or other materials, including financial materials, presented to the district court. We presume these portions of the district court proceedings support the court’s findings. See *Cuzze v. Univ. & Cmty. Coll. Sys. of Nev.*, 123 Nev. 598, 603, 172 P.3d 131, 135 (2007).

appeared to agree that his home had accrued over \$300,000 in equity but testified that when he investigated refinancing it, the interest rates were too high. The district court did not find Rabih credible. Under these circumstances, we conclude the district court properly exercised its discretion in finding Rabih in contempt for failing to pay alimony as ordered by the divorce decree. *See Lewis*, 132 Nev. at 456, 373 P.3d at 880; *see also Grosjean v. Imperial Palace, Inc.*, 125 Nev. 349, 365-66, 212 P.3d 1068, 1080 (2009) (explaining this court is not at liberty to reweigh the evidence or the district court's credibility determinations).

Second, Rabih argues the district court's contempt order was tainted by impartiality concerns and judicial bias. Rabih contends that comments the district court made during the evidentiary hearing demonstrate the court predetermined his credibility and created the appearance that it was going to hold him in contempt regardless of the evidence.

Rabih has not demonstrated that the district court's contempt decision was based on knowledge acquired outside of the proceedings, and the decision and actions did not otherwise reflect "a deep-seated favoritism or antagonism that would make fair judgment impossible." *Canarelli v. Eighth Jud. Dist. Ct.*, 138 Nev. 104, 107, 506 P.3d 334, 337 (2022) (internal quotation marks omitted) (explaining that unless an alleged bias has its origins in an extrajudicial source, disqualification is unwarranted absent a showing that the judge formed an opinion based on facts introduced during official judicial proceedings and which reflects deep-seated favoritism or antagonism that would render fair judgment impossible); *see In re Petition to Recall Dunleavy*, 104 Nev. 784, 789, 769 P.2d 1271, 1275 (1988) (providing that rulings made during official judicial proceedings generally

“do not establish legally cognizable grounds for disqualification”); *see also Rivero v. Rivero*, 125 Nev. 410, 439, 216 P.3d 213, 233 (2009) (stating that the burden is on the party asserting bias to establish sufficient factual grounds for disqualification), *overruled on other grounds by Romano v. Romano*, 138 Nev. 1, 6, 501 P.3d 980, 984 (2022), *abrogated in part on other grounds by Killebrew v. State ex rel. Donohue*, 139 Nev. 401, 535 P.3d 1167 (2023).

Moreover, the record demonstrates that the district court listened to the testimony and considered the evidence presented at the evidentiary hearing prior to making its decisions. Accordingly, the record does not show that the court had closed its “mind to the presentation of all the evidence.” *Cameron v. State*, 114 Nev. 1281, 1283, 968 P.2d 1169, 1171 (1998). Therefore, we conclude that Rabih is not entitled to relief based on this argument. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

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

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

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

cc: Hon. Nadin Cutter, District Judge, Family Division  
American Freedom Group, LLC  
Avir Hamdan  
Eighth District Court Clerk