FILED
Jul 24 2026
ELIZABETH A. BROWN
CLERK OF SUPREME COURT

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

IN THE MATTER OF: THE PAT RAE WALLACE FAMILY TRUST DATED AUGUST 30, 2011.

BONNIE GRAYBILL,
Appellant,
vs.
NADINE LOVELADY,
Respondent.

No. 89900-COA

ORDER OF AFFIRMANCE

Bonnie Graybill appeals from a district court order granting a petition to approve a trust accounting and for instructions regarding trust distribution. Ninth Judicial District Court, Douglas County; Thomas W. Gregory, Judge.

This appeal involves challenges to the administration of the Pat Ray Wallace Family Trust, settled by decedent Pat Ray Wallace. Graybill and respondent Nadine Lovelady are Wallace's daughters, and are equal co-beneficiaries under the trust with their sister Loretta Cook.[1] Pursuant to the terms of the trust, Lovelady was appointed as the successor trustee following Wallace's death.

Relevant here, the trust's primary asset was a parcel of real property located in Gardnerville, Nevada. Shortly before her death, Wallace rented the real property to her granddaughter (Lovelady's

[1]Although Cook participated in Graybill's challenges to the trust in the proceedings below, she is not a party to this appeal.

daughter) at below market rate. After Wallace's passing, Lovelady renewed the lease and continued renting the property to her daughter for the same below market rate rent. After renewing the lease, Lovelady petitioned the court for jurisdiction over the trust, and the district court entered an order assuming jurisdiction over the trust, confirming Lovelady as trustee, confirming trust assets and Lovelady's power over them, and relinquishing jurisdiction over the trust on March 7, 2022.

Thereafter, Graybill and Cook filed a petition for instructions, alleging that Lovelady violated her duties as trustee by renewing the lease agreement and renting the property to family at below market price, rather than generating profit for the beneficiaries of the trust. Accordingly, Graybill and Cook requested that the court remove Lovelady as trustee, void the renewed lease, and order the Gardnerville property sold.

Following an evidentiary hearing, the district court entered an order dismissing this petition, finding that Graybill and Cook knew that Lovelady's daughter was occupying the Gardnerville property and paying below market rent at the time of the original petition and order to assume jurisdiction over the trust, but failed to challenge it. Thus, the court found that claim preclusion applied to foreclose any argument on the issue. In addition, the court also made findings regarding Wallace's intent, stating that there was no evidence that Wallace would have wanted her granddaughter evicted. Notice of entry of order dismissing this petition was served on November 28, 2022.

During the subsequent litigation, Graybill and Cook filed several other petitions and papers contesting Lovelady's handling of the Gardnerville property and her administration of the trust. These proceedings eventually resulted in orders holding Graybill and Cook in contempt, assessing attorney fees and costs against them, and declaring them vexatious litigants for their repetitive "frivolous" filings in this action.

In September 2024, Lovelady petitioned for approval of the 2023 trust accounting and for instructions regarding distribution of trust property. In addition to approval of the 2023 accounting, Lovelady requested approval for $26,620 in trustee fees, $333,443 to be divided amongst the beneficiaries (with equal shares of $111,391 to Graybill and Cook, and a $110,661 share to herself to balance a small accounting discrepancy), and $4,129.24 in deductions from both Graybill's and Cook's shares to satisfy the prior award of attorney fees and costs against them. Following these distributions, Lovelady requested $10,730 to be held for administrative fees and taxes.

The district court held a hearing wherein Graybill allegedly orally objected to the sale of the property and the distribution amount; however, this court cannot confirm the objection occurred because Graybill did not provide this court with transcripts of the proceedings below. Nevertheless, following this hearing, the district court scheduled an evidentiary hearing and instructed Graybill to file a written objection with the court.

In her objection, Graybill raised several issues that had already been addressed by previous court orders, including the propriety of the lease agreement between the trust and Wallace's granddaughter. Graybill also asserted that the prior proceedings violated the rules of civil procedure and her constitutional rights. In addition to these arguments, Graybill maintained that the 2023 accounting submitted to the court was untimely and outdated, as it was "missing pages" and did not include documentation for the sale of the Gardnerville property, which had occurred in March 2024.

Graybill also seemingly questioned whether the sale of the Gardnerville home was conducted properly and whether the home was appraised prior to the sale but did not make any legal arguments regarding the same.

In response, Lovelady argued that her petition for accounting and instructions for distribution of trust property should be approved as Graybill and Cook's objections were without merit. Specifically, Lovelady asserted that the sale of the home would not appear on the 2023 accounting, as the sale occurred in 2024 and would be reported in the next accounting of the trust, and that Graybill's remaining arguments related to the distribution and sale of the home were either not cogent, or subject to claim preclusion, as they had been resolved by the district court earlier in these proceedings.

Following the evidentiary hearing, the district court granted Lovelady's petition in full, approving the 2023 accounting, and instructing Lovelady to distribute the assets of the trust according to her proposed distribution plan. Graybill now appeals.

On appeal, Graybill presents several summary arguments challenging the district court decisions below. In her answering brief, Lovelady argues that many of Graybill's arguments should either be disregarded as they appear to challenge determinations finalized in earlier district court decisions that were independently appealable, or because they are not cogent and without merit.

As an initial matter, our review of Graybill's informal brief and the record on appeal reveals that several of Graybill's challenges on appeal relate back to independently appealable district court decisions. Specifically, Graybill seeks to challenge the lease executed by Lovelady, the proceeds from that lease, and the amount of attorney fees and costs awarded against her in these proceedings. However, these issues were previously addressed by the district court in orders entered and properly served on or around March 7, 2022 (order assuming jurisdiction over the trust), November 28, 2022 (order denying Graybill's petition for instructions and to remove trustee), and April 19, 2024 (order awarding attorney fees and costs).

Because these orders were independently appealable under NRS 155.190(1)(h),(j),(m) (providing for an appeal from interlocutory probate orders appointing or instructing a trustee, awarding attorney fees and costs, or refusing to make any of the listed orders within 30 days of notice of entry of the order), and Graybill did not challenge these rulings until her notice of appeal in this matter, we conclude that Graybill's arguments concerning these orders are not properly before this court as Graybill should have raised them in timely appeals from the original orders. *Cf. Holiday Inn Downtown v. Barnett*, 103 Nev. 60, 63, 732 P.2d 1376, 1378-79 (1987) (concluding that the court lacked jurisdiction to consider the appeal as a direct challenge to the final judgment where the appeal was not timely taken from that judgment and was instead taken from an order denying NRCP 60(b) relief, and limiting the scope of review to that order only).

Next, Graybill challenges the 2023 accounting and the sale of the home, stating "the judge erred in not including the sale of the residence as it was part of the accounting in the petition for distribution and violated law," and including a list of concerns related to the sale.

"In a matter concerning probate, we defer to a district court's findings of fact and will only disturb them if they are not supported by substantial evidence." *Waldman v. Maini,* 124 Nev. 1121, 1129, 195 P.3d

850, 856 (2008). However, this court will review legal issues de novo. *Id.* at 1129-30, 195 P.3d at 856. Additionally, where the appellant fails to provide the court with necessary documentation in the record, such as transcripts of relevant hearings, "we necessarily presume that the missing portion supports the district court's decision." *Cuzze v. Univ. & Cmty. Coll. Sys. of Nev.*, 123 Nev. 598, 603, 172 P.3d 131, 135 (2007).

Having reviewed the arguments of the parties and the record provided on appeal, we affirm the district court's approval of the 2023 accounting, as we presume that the transcripts from the initial hearing on the petition for accounting and the subsequent evidentiary hearing support the district court's decision, and the decision is otherwise supported by substantial evidence. *Id.* The 2023 accounting provided to the district court covered the period of January 1, 2023, through December 31, 2023. In her informal brief, Graybill challenges the accounting based on purported missing pages and its failure to include documentation of the sale for the Gardnerville property. But Graybill did not demonstrate that the 2023 accounting was incomplete, or that it was inaccurate, and the 2023 accounting did not cover the sale of the home because the sale did not occur until March 2024, and therefore would not have been included in the 2023 accounting. Thus, we conclude Graybill's challenges to the 2023 accounting are insufficient to support reversing the district court's decision here.

As to Graybill's other concerns regarding the sale of the property, she does not present cogent argument regarding the same or identify specific concerns with the district court's rulings that would require reversal. Instead, Graybill simply listed a number of questions concerning the sale of the property without linking those questions to the district court's order or trustee's actions in this case. Accordingly, we conclude these assertions are not cogently argued and need not consider them. *See Edwards v. Emperor's Garden Rest.*, 122 Nev. 317, 330 n.38, 130 P.3d 1280, 1288 n.38 (2006) (holding that the court need not consider claims that are not cogently argued). Similarly, we decline to consider Graybill's remaining challenges related to the application of the Nevada Rules of Civil Procedure and the conduct of opposing counsel, as these arguments also lack specificity, and do not identify specific errors for this court to review. *Id.*

Finally, Graybill alleges that the district court's order should be reversed as the district court judge was biased against her. We conclude that relief is unwarranted on this point because Graybill has not demonstrated that the court's decisions in the underlying case were based on knowledge acquired outside of the proceedings and its decisions 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 reflect 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, because we are affirming the district court judgment and not remanding, a new judge is unnecessary, and Graybill fails to demonstrate this is one of the exceedingly rare cases where reassignment is necessary to preserve public confidence and trust in the fairness of a judicial proceeding. *See Williams v. Second Jud. Dist. Ct.*, 142 Nev., Adv. Op. 5, 583 P.3d 223, 230 (2026). Therefore, we conclude that Graybill is not entitled to relief based on this argument.

Because Graybill has not demonstrated a valid reason for reversal in this case, we hereby

ORDER the judgment of the district court AFFIRMED.[2]

Bulla, C.J.

Gibbons, J.

Westbrook, J.

cc: Hon. Thomas W. Gregory, District Judge
Bonnie Graybill
Alling & Jillson, Ltd.
Douglas County Clerk

---

[2]Insofar as the parties raise arguments that are not specifically addressed in this order, we have considered the same and conclude that they do not present a basis for relief.