



IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DANA HOODENPYLE,
Appellant,
vs.
MANUELA HOODENPYLE,
Respondent.

No. 90081-COA

ORDER OF AFFIRMANCE

Dana Hoodenpyle appeals from a district court decree of divorce. Eighth Judicial District Court, Family Division, Clark County; T. Arthur Ritchie, Jr., Judge.

Dana and respondent Manuela Hoodenpyle traveled to Las Vegas in May 2004 for a short vacation to get married. After their vacation, the parties returned to Virginia to live. Dana filed a complaint for divorce in Nevada in April 2024. In May 2024, he obtained a clerk's entry of default, but Manuela filed a motion to set aside the clerk's entry of default, arguing, among other things, a lack of jurisdiction because neither party resided in Nevada. Dana opposed the motion, arguing, among other things, that he resides in Nevada. Subsequently, the district court set aside the clerk's entry of default and ordered Manuela to either file an answer or additional pleadings.

Manuela filed an answer and counterclaim, in which she asserted that neither party is a Nevada resident and that Dana's claims were barred due to a lack of personal jurisdiction over Manuela because she had insufficient minimum contacts with Nevada. She separately filed a motion to dismiss the district court action for lack of personal jurisdiction

on the basis that she has never lived in Nevada and has not conducted any other business or transactions in Nevada. In opposition, Dana argued that Manuela has sufficient contacts with Nevada as the parties were married in Nevada and that Manuela submitted herself to the district court's jurisdiction since she hired an attorney and filed motion practice in the case and participated. He also argued that she subjected herself to minimum business contacts through a family run company, MMP-USA LLC, a Virginia LLC which sells parts in most states in the country, including Nevada. He attached various exhibits to his motion to dismiss, which consisted of an unsigned operating agreement for MMP-USA; business licenses for the Virginia entity, including additional documents from the state of New Mexico and the Virginia Department of Motor Vehicles; records from a Wells Fargo business checking account associated with the company; a purchase order; emails referencing Manuela's 1099/W2 tax classification; a contract regarding an order for MMP-USA to pick up gas cabinets in Las Vegas; and an email regarding work to be performed in North Carolina.

Thereafter, the district court entered a written order finding that it lacked personal jurisdiction over Manuela. The court noted that while the parties were married in Nevada in 2004, Manuela has never lived in Nevada. The court also noted that the parties' business was formed in Virginia. The court ultimately concluded that based on Manuela's lack of minimum contacts with Nevada, it would grant a status divorce, (given Dana's presence in Nevada), but that the parties would need to litigate the property issues in a court that has jurisdiction over their property. Subsequently, the court entered a status divorce decree. Dana filed a motion to reconsider the court's decision that it lacked personal jurisdiction

over Manuela, which the court denied. Dana then filed the present appeal to challenge the court's resolution of the personal jurisdiction issue.

On appeal, Dana argues that Manuela had sufficient minimum contacts with Nevada to establish personal jurisdiction. Dana also argues that regardless of Manuela's residency, other connections were sufficient to establish personal jurisdiction, including the parties' marriage in Nevada, the instant divorce action, and that he registered his vehicle and conducted business in Nevada.¹ Conversely, Manuela argues that Dana has not established that there was personal jurisdiction over her. She argues that her only connection to Nevada was a one-week wedding trip two decades ago, and she has lived in Virginia ever since then. She further argues that none of the exhibits that Dana attached to his opposition to the motion to dismiss established that Manuela conducted business, owned property, maintained offices, or had any purposeful contact with Nevada. She asserts she never operated or controlled MMP-USA and had no role in the company. Thus, she argues that Dana did not meet his burden to establish a *prima facie* case for personal jurisdiction over Manuela.²

¹Insofar as Dana argues that the personal jurisdiction defense is waived because it was not raised in the motion to set aside the clerk's entry of default, we are not persuaded by this argument. A defendant may move to dismiss for lack of personal jurisdiction in a responsive pleading, like an answer, or timely NRCP 12(b) motion. *Hansen v. Eighth Jud. Dist. Ct.*, 116 Nev. 650, 656-57, 6 P.3d 982, 986 (2000). And here, while Manuela only specifically referenced subject matter jurisdiction in her motion to set aside the clerk's entry of default, her argument was based on neither party residing in Nevada and was sufficient to preserve her challenge to the court's jurisdiction over her.

²To the extent Manuela argues in her answering brief that the appeal should be dismissed because the district court had not yet entered a decree of divorce at the time Dana filed his notice of appeal, the Nevada Supreme

We review a district court’s determination of personal jurisdiction de novo. *Fulbright & Jaworski LLP v. Eighth Jud. Dist. Ct.*, 131 Nev. 30, 35, 342 P.3d 997, 1001 (2015). Nevada’s long-arm statute states that “[a] court of this state may exercise jurisdiction over a party to a civil action on any basis not inconsistent with the Constitution of this state or the Constitution of the United States.” NRS 14.065(1). “The Fourteenth Amendment’s Due Process Clause limits a state court’s power to exercise jurisdiction over a defendant.” *Ford Motor Co. v. Montana Eighth Jud. Dist. Ct.*, 592 U.S. 351, 358 (2021). For a court to exercise specific personal jurisdiction over a nonresident defendant, (1) the defendant must have sufficient minimum contacts with the state forum, (2) the defendant must purposefully avail herself of the privilege of conducting activities within the forum state, (3) the plaintiff’s claim must arise out of or relate to the defendant’s contacts with the state forum, and (4) the exercise of specific personal jurisdiction cannot offend notions of fair play and substantial justice. *See id.* at 358-59. A court may exercise general jurisdiction over a nonresident defendant when the defendant’s contacts with the forum state are “so continuous and systematic as to render [the defendant] essentially at home in the forum State” (alteration in original) (internal quotation marks omitted)). *See Fulbright*, 131 Nev. at 36, 342 P.3d at 1002.

The minimum contacts inquiry “focuses on the relationship among the defendant, the forum, and the litigation.” *Walden v. Fiore*, 571 U.S. 277, 284 (2014) (internal quotation marks omitted). Thus, “the

Court has already issued an order rejecting this argument and determined that the appeal could proceed. *See Hoodenpyle v. Hoodenpyle*, Docket No. 90081 (Nev. Aug. 15, 2025) (Order Denying Motion to Dismiss). Thus, we do not consider this argument.

defendant's suit-related conduct must create a substantial connection with the forum State." *Id.* Two factors are particularly relevant in the minimum contacts analysis. "First, the relationship must arise out of contacts that the 'defendant [herself] creates with the forum State.'" *Id.* (quoting *Burger King Corp. v. Rudzewicz*, 471 U.S. 462, 475 (1985)). And second, the analysis "looks to the defendant's contacts with the forum State itself, not the defendant's contacts with persons who reside there." *Id.* at 285 (emphasis added). Accordingly, "the plaintiff cannot be the only link between the defendant and the forum." *Id.*

Here, the record reflects that while the parties were married in Nevada in 2004, Manuela has not actually resided in Nevada. *See Simpson v. O'Donnell*, 98 Nev. 516, 517-18, 654 P.2d 1020, 1021 (1982) (holding that the district court did not have personal jurisdiction over the defendant when she was domiciled in Georgia); *cf. Wylie v. Second Jud. Dist. Ct.*, 96 Nev. 620, 621-22, 614 P.2d 12, 13 (1980) (providing that a person submitted himself to the jurisdiction of Nevada by living in the marital relationship within Nevada). Moreover, while Dana argues that Manuela had sufficient minimum contacts in Nevada as a partner in MMP-USA LLC, the evidence in the record he submitted with his opposition to the motion to dismiss did not suggest Manuela's personal involvement in Nevada. *See Hanson v. Denckla*, 357 U.S. 235, 251, 253 (1958) (holding that "[t]he unilateral activity of those who claim some relationship with a nonresident defendant cannot satisfy the requirement of contact with the forum State," and declining to find minimum contacts where "[t]he defendant . . . has no office in [the forum], and transacts no business there"); *see also Burger King*, 471 U.S. at 478 (stating a contract alone does not automatically provide the required minimum contacts for the exercise of personal jurisdiction).

Furthermore, the record does not reflect that Manuela had continuous and systematic contacts to support personal jurisdiction. *See Fulbright*, 131 Nev. at 36, 342 P.3d at 1002.

Thus, Dana does not demonstrate that the district court erred in determining that it lacked personal jurisdiction over Manuela. Furthermore, insofar as Dana argues that the district court erred in reaching its decision without holding an evidentiary hearing, we are not persuaded by this argument as it is within a district court's discretion to resolve a fully briefed motion regarding personal jurisdiction without a hearing. *See Trump v. Eighth Jud. Dist. Ct.*, 109 Nev. 687, 692-94, 857 P.2d 740, 743-45 (1993) (explaining the specific procedures and standards of proof that a plaintiff must meet to overcome a challenge to personal jurisdiction).

Accordingly, we

ORDER the judgment of the district court AFFIRMED.³


Bulla, C.J.


Gibbons, J.


Westbrook, J.

³Insofar as Dana raises 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.

cc: Hon. T. Arthur Ritchie, Jr., District Judge, Family Division
Dana Lynn Hoodenpyle
Burton & Reardon
Eighth District Court Clerk