

IN THE SUPREME COURT OF THE STATE OF NEVADA

GILBERT TYLER,
Appellant,
vs.
RACHEL TYLER,
Respondent.

No. 40271

FILED

DEC 18 2002

ORDER OF AFFIRMANCE

JUDICIAL CLERK
CLERK OF SUPREME COURT
J. R. RILEY
CLERK OF SUPREME COURT

This is a proper person appeal from a district court order concerning child support and arrears.

Under the Uniform Interstate Family Support Act, when a parent resides in another state and seeks to establish a child support order in this state, the Nevada district court has the authority to issue such an order.¹ This court reviews a district court child support order for abuse of discretion.² The record reveals that respondent resides with the child in Utah. Appellant resides in Nevada. In February 2002, respondent petitioned the Nevada district court to establish child support and direct the payment of arrears. The matter was heard before a domestic master. The master made a recommendation, which the district court adopted. Specifically, the district court ordered appellant to pay \$100 per month in child support, and \$10 per month in arrears.

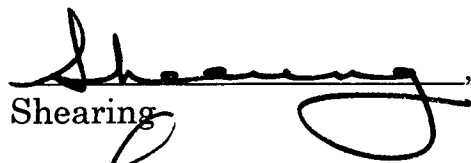
NRS 125B.070(1)(b)(1) provides a formula that a noncustodial parent's monthly child support obligation for one child is set at 18% of the parent's gross monthly income. The statutory minimum award of child

¹See NRS 130.301(2)(a); NRS 130.401(1)(a).

²See Wallace v. Wallace, 112 Nev. 1015, 922 P.2d 541 (1996).

support is \$100 per month per child, unless the district court finds that the parent is unable to pay the minimum amount.³ The district court noted appellant's objection to the master's recommendation and did not find that appellant was unable to pay the statutory minimum in child support. Thus, we conclude that the district court did not abuse its discretion regarding child support and arrears. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

 J.
Shearing

 J.
Leavitt

 J.
Becker

cc: Hon. Scott Jordan, District Judge, Family Court Division
Washoe County District Attorney/Family Support Division
Gilbert Tyler
Washoe District Court Clerk

³NRS 125B.080(4); see also NRS 125B.030 (providing that where no child support order has been entered, and the parents are separated, the parent with physical custody of the child may recover from the other parent a reasonable portion of the cost of care and support not to exceed four years before bringing the action for support).