

IN THE SUPREME COURT OF THE STATE OF NEVADA

DOUG EDDY,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
DEPARTMENT OF MOTOR VEHICLES,  
Respondent.

No. 41029

FILED

APR 08 2004

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Ribard*  
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court order denying review of appellant's driver's license revocation for driving under the influence of alcohol.

When reviewing the decision of an administrative agency, both the district court and this court are limited to the agency record, and neither may substitute its judgment for that of the agency on factual issues.<sup>1</sup> As long as substantial evidence supports the agency's findings of fact, which in turn support the agency's conclusions of law, a reviewing court will not reverse the decision absent prejudicial legal error.<sup>2</sup> Substantial evidence is that quantity and quality of evidence that a reasonable person would accept as adequate to support a conclusion.<sup>3</sup>

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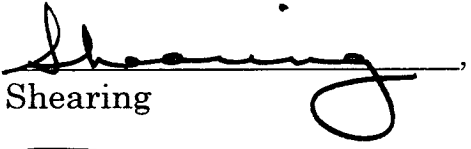
<sup>1</sup>See NRS 233B.135.

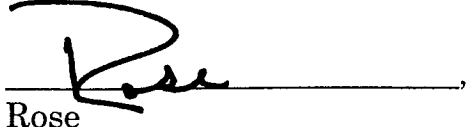
<sup>2</sup>See Beavers v. State, Dep't of Mtr. Vehicles, 109 Nev. 435, 438, 851 P.2d 432, 434 (1993).

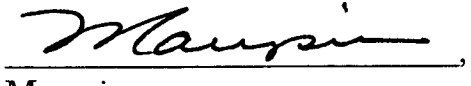
<sup>3</sup>See Maxwell v. SIIS, 109 Nev. 327, 331, 849 P.2d 267, 270 (1993).

Having reviewed the record, we conclude that it contains substantial evidence supporting the revocation of appellant's license. Accordingly, we affirm the district court's order denying judicial review.

It is so ORDERED.<sup>4</sup>

  
Shearing, C.J.

  
Rose, J.

  
Maupin, J.

cc: Hon. Janet J. Berry, District Judge  
Martin H. Wiener  
Attorney General Brian Sandoval/DMV/Carson City  
Washoe District Court Clerk

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<sup>4</sup>Under NRAP 34(f)(1), we have determined that oral argument is not warranted in this appeal.