

IN THE SUPREME COURT OF THE STATE OF NEVADA

DANIEL OLSON,
Appellant,
vs.
ELEANOR C. AHERN AND DOODLE
BUG RANCH, LLC,
Respondents.

No. 41245

FILED

OCT 10 2003

[Signature]
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from a district court order that denied appellant's motion to set aside a mechanic's lien expungement order. We have reviewed the record, and we conclude that the district court did not abuse its discretion.¹

Accordingly, we

ORDER the judgment of the district court AFFIRMED.

[Signature], J.
Rose

[Signature], J.
Leavitt

[Signature], J.
Maupin

¹Kahn v. Orme, 108 Nev. 510, 513, 835 P.2d 790, 792 (1992) ("The standard of review for an order denying a[n] NRCP 60(b) motion for relief is whether the district court abused its discretion."); NRCP 60(b) (prescribing a six-month period for set aside motions based on fraud); Price v. Dunn, 106 Nev. 100, 104 & n.1, 787 P.2d 785, 787 & n.1 (1990) (recognizing that the six-month time limitation is inapplicable to set aside motions only when based on extrinsic fraud); Kramer v. Kramer, 96 Nev. 759, 761, 762, 616 P.2d 395, 396, 397 (1980) (proceeding under prior version of NRCP 60(b) and observing that district court lacked jurisdiction to grant set aside motion based on intrinsic fraud after six-month period); Black's Law Dictionary 671-72 (7th ed. 1999) (defining intrinsic fraud as deception pertaining to an issue involved in the action, such as occurs through the use of perjury or fabricated evidence); see also Haws v. Haws, 96 Nev. 727, 730, 615 P.2d 978, 980 (1980) (classifying fraud as extrinsic when it prevents the losing party from knowing of her rights or from having an opportunity to appear and present them at trial).

03-16850

cc: Hon. Stewart L. Bell, District Judge
Jeffrey A. Cogan
Kolesar & Leatham, Chtd.
Daniel Olson
Clark County Clerk