

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN C. ROMINE,
Appellant,
vs.
MITCHELL GLINER, AND LAW
OFFICES OF MITCHELL D. GLINER,
Respondents.

No. 41866

FILED

JAN 06 2009

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

ORDER OF AFFIRMANCE

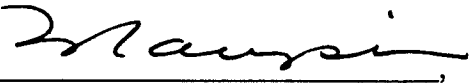
This is a proper person appeal from a district court order granting summary judgment in an attorney fee dispute. Eighth Judicial District Court, Clark County; Valorie Vega, Judge.

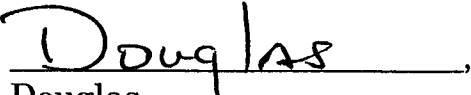
Appellant argues that the contingency fee agreement, not the settlement release agreement, controls this dispute.¹ Respondents contend that the settlement release agreement controls. We conclude that the settlement release agreement, signed by appellant, unambiguously sets forth the allocation of the settlement funds. In addition, appellant admitted in his bar complaint that he had agreed to the distribution of settlement funds as proposed by respondents, and only later sought to

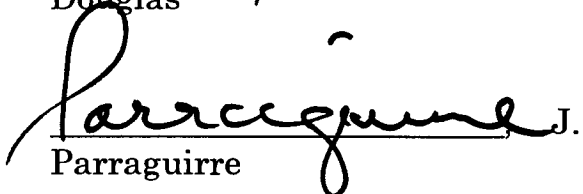
¹Appellant was granted leave to file briefs in proper person. See NRAP 46(b).

change his mind. We conclude that the district court did not err in granting summary judgment,² and we affirm.

It is so ORDERED.


_____, J.
Maupin


_____, J.
Douglas


_____, J.
Parraguirre

cc: Hon. Valorie Vega, District Judge
Steven Craig Romine
Mitchell D. Gliner
Clark County Clerk

²See NRCP 56(c) (1986); Pressler v. City of Reno, 118 Nev. 506, 50 P.3d 1096 (2002) (stating that this court reviews summary judgments de novo, that summary judgment is appropriate only when no genuine issues of material fact exist and the moving party is entitled to judgment as a matter of law, and that all inferences are drawn in the non-movant's favor); United Fire Insurance Co. v. McClelland, 105 Nev. 504, 780 P.2d 193 (1989) (setting forth elements of novation); see also Tore, Ltd. v. Rothschild Management Corp., 106 Nev. 359, 793 P.2d 1316 (1990) (noting that an implied novation may arise from one party's conduct on which the other party detrimentally relies).