

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTOPHER ANTHONY JONES,
Appellant,

vs.

DIRECTOR, NEVADA DEPARTMENT
OF CORRECTIONS, JACKIE
CRAWFORD; ASSISTANT DIRECTOR
JOHN SLANSKY; WARDEN, ELY
STATE PRISON, E.K. MCDANIEL;
AWO DWIGHT NEVEN; AWP ADAM
ENDEL; FORMER AWP WILLIAM
DONAT; DALE JONES; D. MCNEELY;
AND JERRY DEFORREST,
Respondents.

No. 54244

FILED

FEB 05 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from a district court order on costs. Seventh Judicial District Court, White Pine County; Dan L. Papez, Judge.


Costs determination is within the district court's sound discretion. Bobby Berosini, Ltd. v. PETA, 114 Nev. 1348, 1352, 971 P.2d 383, 385 (1998). This court reviews the district court's costs decision for an abuse of discretion. Borgerson v. Scanlon, 117 Nev. 216, 221, 19 P.3d 236, 239 (2001).

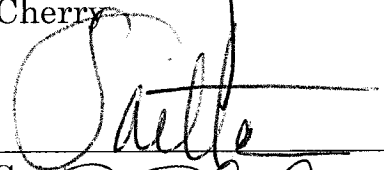
On appeal, appellant Christopher Anthony Jones asserts that the district court erred in its order awarding costs because (1) respondents failed to prove that the settlement of the federal court action encompassed returning \$249.35 to Jones, (2) respondents failed to substantiate their claim that \$249.35 was returned into Jones' inmate account, (3) respondents failed to comply with the district court's order awarding costs by failing to provide proof within 15 days of that order that \$249.35 was

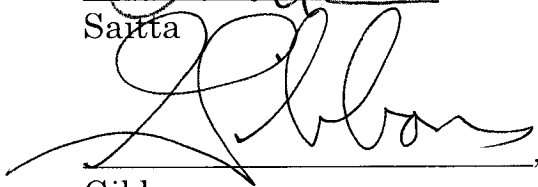
returned into Jones' inmate account, and (4) the actual amount taken from Jones' account was \$334.25, not \$249.35.

Having reviewed the record and Jones' civil proper person statement, we conclude that his arguments on appeal lack merit, as the district court did not abuse its discretion in determining costs and amounts owed. Additionally, any issue regarding the enforcement of the district court order awarding costs should be addressed to the district court, by means of a proper motion or an enforcement action. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Cherry


_____, J.
Santa


_____, J.
Gibbons

cc: Hon. Dan L. Papez, District Judge
Christopher Anthony Jones
Attorney General/Carson City
White Pine County Clerk