

IN THE SUPREME COURT OF THE STATE OF NEVADA

ABCO CONSTRUCTION,
Appellant,
vs.
SIGNATURE DEVELOPERS, LC,
Respondent.

No. 55815

FILED

JAN 17 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *Angesa*
DEPUTY CLERK

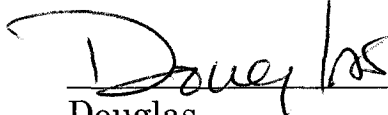
ORDER OF AFFIRMANCE

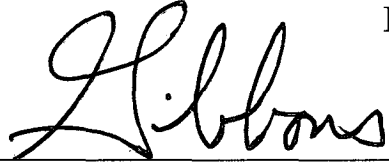
This is an appeal from a district court order expunging a mechanic's lien. Fourth Judicial District Court, Elko County; J. Michael Memeo, Judge.

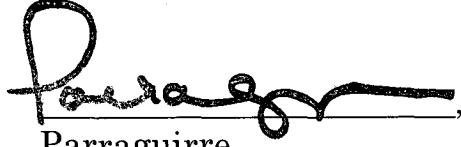
Having reviewed the briefs and appendices on appeal, we affirm the district court's order. The district court properly expunged appellant's mechanic's lien based on appellant's failure to comply with NRS 108.226(6). Appellant argues on appeal that NRS 108.226(6) does not apply under NRS 108.226(7) because the construction project at issue was not residential. Appellant failed to assert this argument in the district court and is precluded from raising it for the first time on appeal. See Old Aztec Mine, Inc. v. Brown, 97 Nev. 49, 52, 623 P.2d 981, 983

(1981) (stating that this court will not consider an issue raised for the first time on appeal). Accordingly, we

ORDER the judgment of the district court AFFIRMED.¹


_____, J.
Douglas


_____, J.
Gibbons


_____, J.
Parraguirre

cc: Fourth Judicial District Court Dept. 1, District Judge
Robert L. Eisenberg, Settlement Judge
Abco Construction
Wilson Barrows & Salyer, Ltd.
Elko County Clerk

¹We conclude that respondent's arguments that we lack jurisdiction over this appeal lack merit. Based on our resolution of this appeal, we need not consider the parties' other contentions raised on appeal.