

IN THE SUPREME COURT OF THE STATE OF NEVADA

SIYU WU,
Appellant,
vs.
IVAN YANG,
Respondent.

No. 55898

FILED

DEC 09 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *A. Ingebor*
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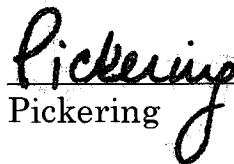
ORDER OF AFFIRMANCE

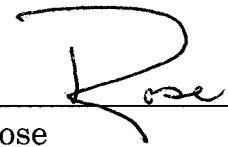
This is an appeal from a district court annulment decree. Eighth Judicial District Court, Family Court Division, Clark County; Steven E. Jones, Judge.

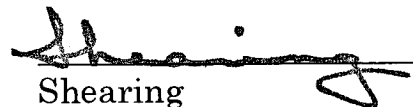
In December 2008, respondent filed a complaint for annulment of the parties' marriage, alleging that appellant was married to someone else at the time that these parties married. Appellant filed an answer and a counterclaim for divorce. According to both parties, there were no community debts or community property and no children from the marriage. The appellate record shows that at a March 2009 district court hearing, the parties agreed that the only issue remaining concerned whether the matter should be resolved as an annulment or as a dissolution of marriage. Subsequently, in October 2009, appellant moved the district court to dismiss respondent's complaint as a sanction for his failure to comply with NRCPC 16.2's early case conference and reporting requirements. Following a hearing, the district court denied appellant's motion to dismiss and ultimately granted respondent's demand for an annulment of the parties' marriage. This appeal followed.

On appeal, appellant challenges only the district court's decision to deny appellant's motion to dismiss. Having considered appellant's arguments and the appellate record, we conclude that, under the circumstances of this case, the district court did not abuse its discretion in denying appellant's motion to dismiss. See generally Moon v. McDonald Carano Wilson LLP, 126 Nev. ___, 245 P.3d 1138 (2010) (providing that a district court has the discretion to dismiss a case for failing to comply with NRCP 16.1(e)(2)'s requirements); see also Arnold v. Kip, 123 Nev. 410, 414, 168 P.3d 1050, 1052 (2007) (same). Accordingly, we

ORDER the judgment of the district court AFFIRMED.¹

 _____, J.
Pickering

 _____, Sr. J.
Rose

 _____, Sr. J.
Shearing

cc: Hon. Steven E. Jones, District Judge, Family Court Division
Ciciliano & Associates, LLC
Ivan Yang
Eighth District Court Clerk

¹The Honorable Robert E. Rose and the Honorable Miriam Shearing, Senior Justices, participated in the decision of this matter under general orders of assignment.