

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE PETITION
FOR ADOPTION BY: A.L.,

No. 65717

A.L.,
Appellant,
vs.
CLARK COUNTY DEPARTMENT OF
FAMILY SERVICES,
Respondent.

FILED

JUL 23 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court order denying a petition for adoption of minor children.¹ Eighth Judicial District Court, Family Court Division, Clark County; Robert Teuton, Judge.

Appellant first argues that the district court erred in finding that the 30-day residency requirement imposed by NRS 127.110(1) must be continuous. NRS 127.110(1) permits an individual to file a petition to adopt minor children currently residing in the petitioner's home after they have lived in the home for 30 days. Appellant misstates the district court's finding. The court denied the petition because it found that the children were removed from appellant's physical custody in May 2010 and were not residing in her home when she filed the October 2013 petition for adoption. The record contains substantial evidence supporting these findings. *See Ogawa v. Ogawa*, 125 Nev. 660, 668, 221 P.3d 699, 704 (2009) (stating that a district court's factual findings are reviewed for an abuse of discretion and this court will not set those findings aside unless

¹Consistent with the confidentiality provisions set forth in NRS 127.140, we have altered the caption and used non-identifying references.

they are clearly erroneous or not supported by substantial evidence). Appellant's argument that the children's prior residency with her is sufficient ignores the statute's condition that the residency be current—the 30-day period is not at issue here. The district court did not abuse its discretion in concluding that appellant did not meet the NRS 127.110(1) requirements. *Id.*

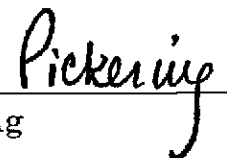
Appellant next argues that the district court failed to consider the familial preference in placing a child in an adoption. Appellant raises this issue for the first time on appeal. Accordingly, this issue is deemed to have been waived, and we will not consider it. *Old Aztec Mine, Inc. v. Brown*, 97 Nev. 49, 52, 623 P.2d 981, 983 (1981).

Appellant lastly alleges several procedural deficiencies relating to a prior motion to adopt the children. That motion was filed in a different case, and appellant has not identified any authority permitting this court to review alleged procedural deficiencies relating to the denial of her motion in a prior action. See *Edwards v. Emperor's Garden Rest.*, 122 Nev. 317, 330 n.38, 130 P.3d 1280, 1288 n.38 (2006). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Saitta


_____, J.
Gibbons


_____, J.
Pickering

cc: Hon. Robert Teuton, District Judge, Family Court Division
Cuthbert E.A. Mack
Clark County District Attorney/Juvenile Division
Brownstein Hyatt Farber Schreck, LLP/Las Vegas
Eighth District Court Clerk