

IN THE SUPREME COURT OF THE STATE OF NEVADA

MAYRA JANETH GARZA-WOLSKI,
Appellant,
vs.
AARON RAY WOLSKI,
Respondent.

No. 79148

FILED

JUL 01 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a decree of divorce establishing child custody. Eighth Judicial District Court, Family Court Division, Clark County; Cheryl B. Moss, Judge.

Appellant Mayra Janeth Garza-Wolski argues that the district court abused its discretion in awarding respondent Aaron Ray Wolski sole legal custody of their child, S.W. She argues that Aaron's alleged drug use justified her refusal to comply with the district court's orders that she return S.W. to Nevada.

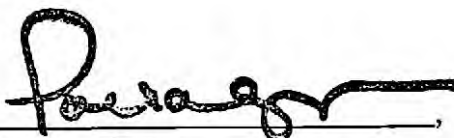
Although Mayra essentially asks us to substitute our judgment for that of the district court, we review the district court's determination of a child's best interest for abuse of discretion and will uphold it if substantial evidence supports it. *Flynn v. Flynn*, 120 Nev. 436, 440, 92 P.3d 1224, 1227 (2004). Substantial evidence is that which "a reasonable person may accept as adequate to sustain a judgment." *Ellis v. Carucci*, 123 Nev. 145, 149, 161 P.3d 239, 242 (2007).

In awarding sole legal custody to Aaron, the district court considered the applicable best-interest factors under NRS 125C.0035(4). It cited evidence from trial and evidentiary hearings, including testimony that Mayra had physically withheld S.W. from Aaron for several years by refusing to return S.W. to Nevada and withheld photos of S.W. from Aaron

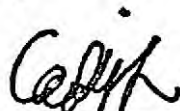
since 2016. Based on that evidence, it found that Mayra had frustrated Aaron's ability to have frequent association and a continuing relationship with S.W.; severely affected S.W.'s physical, developmental, and emotional needs by disrupting his bond with Aaron; and, by defying the district court's orders to return S.W. to Nevada, committed an act of abduction. It also found that despite Mayra's allegations of Aaron's drug use, he had complied with court-ordered drug testing and had tested negative.

A reasonable person may accept the evidence that the district court cited as adequate to sustain its judgment, so we conclude that it did not abuse its discretion. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Parraguirre


_____, J.
Hardesty


_____, J.
Cadish

cc: Hon. Cheryl B. Moss, District Judge, Family Court Division
Law Offices of F. Peter James, Esq.
Aaron Ray Wolski
Eighth District Court Clerk