

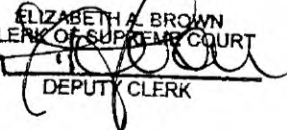
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MICHELLE SHADI IRANPOUR,
Appellant,
vs.
MARK ASHTON WINNINGHAM,
Respondent.

No. 85697-COA

FILED

JUL 21 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Michelle Shadi Iranpour appeals from a decree of divorce. Eighth Judicial District Court, Family Division, Clark County; T. Arthur Ritchie, Jr., Judge.

Iranpour and respondent Mark Ashton Winningham were married in 2013 and have three minor children. In 2021, Iranpour initiated divorce proceedings in district court. During the course of the litigation, the district court held several hearings in this matter, wherein it considered the briefs, oral arguments, and evidence presented by the parties related to contested issues regarding child custody, child support, spousal support, and division of community property.

As relevant here, in July 2022, Iranpour's counsel requested a continuance of a scheduled bench trial in order to obtain discovery regarding alleged marital waste by Winningham. The district court granted Iranpour's motion and scheduled a bench trial in October 2022. However, three days before that trial, Iranpour's counsel filed a request to continue the trial, which the district court set for hearing on the same date as the bench trial. Notably, despite Iranpour's motion being set for hearing, Iranpour's counsel failed to appear for the motion hearing, or the previously scheduled bench trial. Accordingly, at the hearing, the district court refused

to consider any additional evidence, and announced that it would be entering its decree of divorce in this matter based on the arguments, briefs, and evidence obtained during the prior proceedings. Thus, on October 13, 2022, the district court entered its decree of divorce. In that decree, the district court made findings of fact and conclusions of law related to child custody, child support, spousal support, and division of community debts and assets, among other things. Iranpour now appeals.

On appeal, Iranpour's fast track statement includes a singular summary allegation of error by the district court, namely that the "[c]ourt conducted trial without Plaintiff's legal Counsel despite request being made by Appellant and her legal counsel's office, leading to and [sic] improper and incomplete Decree of Divorce," which was followed by three unexplained citations to authority. Iranpour's summation of the pertinent facts and procedural history are similarly conclusory.¹ And importantly, Iranpour's briefing in this matter misrepresents the nature of the hearing held below. Indeed, the transcripts included in Iranpour's appendix from the October 13, 2022, hearing show that the district court did not conduct trial without the presence of counsel; instead, the district court expressly mentioned that, because Iranpour's counsel failed to appear at the hearing and did not demonstrate good cause for a continuance, it would resolve the parties' case on the briefs, arguments, and evidence presented during the previous hearings.

¹We note that such bare assertions and summary arguments do not satisfactorily meet the requirements of NRAP 3E(d)(1) and remind counsel that future noncompliance with the Nevada Rules of Appellate Procedure may result in sanctions from this court. See NRAP 3E(i) (stating that attorneys may be sanctioned for failure to "raise material issues or arguments in a fast track statement or response.")

Here, Iranpour has failed to identify how the district court's conduct at the hearing resulted in prejudice against her, or to identify any specific errors made by the district court in the decree of divorce. As a result, she has failed to present any cogent argument in support of her challenge to the divorce decree. *See Edwards v. Emperor's Garden Rest.*, 122 Nev. 317, 330 n.38, 130 P.3d 1280, 1288 n.38 (2006) (holding that the court need not consider claims that are not cogently argued or lack relevant authority).

Moreover, to the extent that we can construe these bare assertions as challenging prior findings and orders of the district court, Iranpour's appendix is likewise insufficient, and does not include the orders or transcripts related to those decisions. *See Cuzze v. Univ. & Cmty. Coll. Sys. of Nev.*, 123 Nev. 598, 603, 172 P.3d 131, 135 (2007) (observing that "[w]hen an appellant fails to include necessary documentation in the record, we necessarily presume that the missing portion supports the district court's decision"). Accordingly, we must presume that those orders support the district court's decree of divorce in this matter. *Id.* Accordingly, for the reasons set forth above, we affirm the divorce decree entered by the district court.

It is so ORDERED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. T. Arthur Ritchie, Jr., District Judge, Family Division
The Law Office of Dan M. Winder, P.C.
Mark Ashton Winningham
Eighth District Court Clerk