

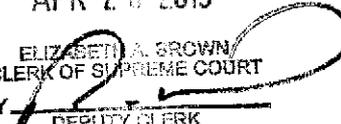
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

WILBERT ROY HOLMES,  
Appellant,  
vs.  
CAPUCINE YOLANDA HOLMES,  
Respondent.

No. 76206-COA

**FILED**

APR 26 2019

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Wilbert Roy Holmes appeals a post-decree of divorce order in a family matter. Eighth Judicial District Court, Family Court Division, Clark County; Rena G. Hughes, Judge.

The parties were divorced by way of a decree of divorce entered in June 2017. Following entry of the decree, Wilbert filed an appeal asserting, as relevant here, that the district court abused its discretion in the amount it awarded respondent Capucine Holmes as one-half of the increase in equity in the parties' marital residence, pursuant to an antenuptial agreement, and that the district court exhibited bias against him. This court subsequently issued an order remanding the matter to the district court, in part, concluding that district court failed to make sufficient findings to support the values the court used in determining the amount of equity to be divided, but affirming the remainder of the district court's award. *See Holmes v. Holmes*, Docket No. 73291 (Order Affirming in Part, Reversing in Part and Remanding, April 30, 2018). Upon remand, the district court entered an order clarifying the decree of divorce, wherein the district court explained the basis for the figures it used in determining the amount of equity to be divided. This appeal followed.

This court reviews the district court's decisions in divorce proceedings for an abuse of discretion. *Williams v. Williams*, 120 Nev. 559, 566, 97 P.3d 1124, 1129 (2004). This court will not disturb a district court's decision that is supported by substantial evidence. *Id.* Substantial evidence is that which a reasonable person may accept as adequate to sustain a judgment. *Id.*

On appeal, Wilbert argues that the district court was biased against him, that the liens recorded against the residence should be removed, and that Capucine should not be awarded any equity from the sale of the marital residence. To the extent Wilbert's arguments challenge the decree of divorce and were raised in his prior appeal or were necessarily decided by implication in the prior case, they are barred by the law of the case doctrine. *See Recontrust Co., N.A. v. Zhang*, 130 Nev. 1, 8, 317 P.3d 814, 818 (2014) (explaining that the law of the case doctrine prohibits reopening questions that have been previously decided "explicitly or by necessary implication"); *Hall v. State*, 91 Nev. 314, 315-16, 535 P.2d 797, 798-99 (1975) (stating that "[t]he law of a first appeal is the law of the case on all subsequent appeals" and noting that the law of the case "cannot be avoided by a more detailed and precisely focused argument subsequently made") (internal quotation marks omitted).

To the extent Wilbert intends to challenge the order clarifying the decree entered after remand from this court, Wilbert fails to raise any arguments addressing the basis for the district court's order clarifying the decree of divorce. Thus, he has waived any such challenge and we necessarily must affirm the district court's order. *See Powell v. Liberty Mut. Fire Ins. Co.*, 127 Nev. 156, 161 n.3, 252 P.3d 668, 672 n.3 (2011) (providing that arguments not raised on appeal are deemed waived). Moreover, we

note that, based on our review of the record, we discern no abuse of discretion in the district court's clarification of the values used in determining the equity in the marital residence. *See Williams*, 120 Nev. at 566, 97 P.3d at 1129.

Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>1</sup>

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Bulla

cc: Hon. Rena G. Hughes, District Judge, Family Court Division  
Wilbert Roy Holmes  
Heaton Fontano, Ltd.  
Eighth District Court Clerk

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<sup>1</sup>We take no action on Wilbert's document entitled, "Expedite Divorce Appeal Request," filed on March 15, 2019.