

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JOSEPH NASO,  
Appellant,  
vs.  
COUNTY OF MARIN, CALIFORNIA,  
Respondent.

No. 83594-COA

FILED

JUL 27 2022

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Joseph Naso appeals from a district court order denying a motion for relief from an order domesticating a foreign judgment. Second Judicial District Court, Washoe County; Connie J. Steinheimer, Judge.

Respondent County of Marin, California, obtained a judgment from the Superior Court of California, County of Marin, directing Naso to pay \$170,949.69 in connection with expenses that it incurred for his legal defense in a criminal proceeding. Respondent then filed the California judgment in the Second Judicial District Court as a foreign judgment pursuant to NRS 17.350. The district court subsequently entered an order adopting the California judgment. Over seven years later, Naso moved in Nevada for relief from the order domesticating the California judgment, essentially arguing that the California judgment was erroneously entered. The district court construed Naso's motion as seeking relief under NRCP 60(b)(4) and denied the same, reasoning that the motion was untimely under NRCP 60(c)(1) and not supported by applicable law. This appeal followed.

The district court has broad discretion in deciding whether to grant or deny a motion to set aside a judgment under NRCP 60(b), and this

court will not disturb that decision absent an abuse of discretion. *Cook v. Cook*, 112 Nev. 179, 181-82, 912 P.2d 264, 265 (1996).

On appeal, Naso largely reiterates his arguments from below as to why he believes the California judgment was erroneously entered. Naso does not, however, address the district court's alternative basis for denying his motion for relief from the order domesticating the California judgment, which was that it was an untimely motion for relief under NRCP 60(b)(4). Consequently, Naso has failed to demonstrate that the district court abused its discretion by denying his motion, *see Hung v. Berhad*, 138 Nev., Adv. Op. 50, \_\_\_ P.3d \_\_\_, \_\_\_ (Ct. App. 2022) (explaining that, when a district court's decision is based on independent alternative grounds, reversal is generally unwarranted unless the appellant successfully challenges each of those grounds in its appellate briefing, and further concluding that an appellant waives a challenge to an independent alternative ground for a district court's decision when the appellant fails to address it in his or her opening brief); *Cook*, 112 Nev. at 181-82, 912 P.2d at 265, and we therefore affirm that decision.<sup>1</sup>

It is so ORDERED.

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

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

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

<sup>1</sup>Although we cannot conclude that the district court abused its discretion by treating Naso's motion as seeking relief under NRCP 60(b)(4) and denying the same, nothing in our order precludes Naso from seeking to challenge the California judgment in a California court or from asserting any available defenses to the enforcement of the domesticated California judgment in a Nevada court.

cc: Hon. Connie J. Steinheimer, District Judge  
Joseph Naso  
Michael A. Rosenauer Ltd.  
Washoe District Court Clerk