IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ARIEL TEAMER,
Appellant,
vs.
QUINTEN SUMMERS,
Respondent.

No. 89296-COA

FILED

MAY 07 2026

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY
DEPUTY CLERK

ORDER OF AFFIRMANCE

Ariel Teamer appeals from a district court order modifying custody of a minor child and denying her request to relocate. Eighth Judicial District Court, Clark County; Mari D. Parlade, Judge.

Ariel and respondent Quinten Summers share one minor child, A.S., who was born in 2015. In 2018, the parties came before the district court on the issue of child custody and ultimately reached an agreement, which was later adopted by the court in an order, that they would share joint legal custody, Ariel would have primary physical custody, and Quinten would have parenting time with A.S. on alternating weekends and certain holidays. In July 2019, the district court entered an order permitting Ariel to relocate with A.S. from Las Vegas to Reno over Quinten's opposition. The relocation order required Ariel to facilitate at least one video call between A.S. and Quinten per week and provided that he would continue to have alternating weekends with the child if 21-days' notice was given.

In December 2021, Ariel stopped permitting Quinten to exercise his in-person parenting time and, in April 2022, she also stopped facilitating Quinten's video calls with A.S. Then, in June 2022, Ariel secretly relocated with A.S. from the Reno area to Arizona. As a result of those actions,

Quinten moved to hold Ariel in contempt and sought sole physical and legal custody of A.S. Ariel opposed Quinten's motion and, at a hearing in February 2023, denied having relocated with A.S. to Arizona.

The district court subsequently held an evidentiary hearing on Quinten's contempt and custody motion, which Ariel failed to attend. Following the hearing, the court entered an order awarding Quinten sole legal and physical custody of A.S. on June 22, 2023. The court found that Ariel's refusal to allow Quinten in-person parenting time and video calls with A.S. constituted a substantial change in circumstances affecting A.S.'s welfare, and that it was in A.S.'s best interest for Quinten to have sole legal and physical custody. In conducting its best-interest analysis, the court found that the majority of the NRS 125C.0035(4) best-interest factors favored Quinten. Of relevance here, the court found that Ariel committed an act of abduction by relocating to Arizona without permission and knowingly withholding A.S. from Quinten,[1] *see* NRS 125C.0035(4)(l), had been arrested for committing domestic violence against Quinten, and Ariel's new husband had pulled a rifle on Quinten, *see* NRS 125C.0035(4)(c). The district court determined that Ariel would have only supervised parenting time with A.S.

In October 2023, Ariel moved to modify the sole custody arrangement so that the parties would share joint legal custody of A.S. and she would have primary physical custody. In addition, Ariel requested permission to relocate with A.S. to Arizona. Ariel's motion alleged, among other things, that Quinten had been in two car accidents with A.S., was not treating her asthma, was smoking marijuana around A.S., and had

[1]The district court did not address the NRS 125C.0035(7) abduction presumption in this order, however.

committed acts of domestic violence against Ariel and "another mother of his children." The district court subsequently ordered A.S. to be interviewed by the Family Mediation Center regarding the allegations in this case.

Around the same time, Ariel electronically served Quinten and his counsel with requests for admission to prepare for an evidentiary hearing on the matter of custody and relocation. Of relevance, those requests asked Quinten to "[a]dmit that you have physically attacked Ariel," "[a]dmit that you told [A.S.] that she needs to fight back instead of telling her teacher that she is being bullied," and "[a]dmit that you smoke around [A.S.]" Although Quinten's attorney opened the requests, he did not respond to them because he was in the process of withdrawing. And Quinten did not open nor respond to the requests because he believed his attorney was responsible for doing so. Because neither Quinten nor his attorney responded to the requests for admission, on February 20, 2024, Ariel notified the court that the requests were deemed admitted by operation of NRCP 36(a)(3), which states that "[a] matter is admitted unless, within 30 days after being served, the party to whom the request is directed serves on the requesting party a written answer or objection."

That same day, the district court held the first day of the evidentiary hearing on Ariel's motion to modify custody and relocate, during which Quinten represented himself. Because of the confusion surrounding Quinten's attorney's withdrawal, the district court stated that, "at this point," it could not find Ariel's requests for admission conclusively admitted, although the court indicated it would address the issue at trial. At the hearing, Ariel questioned Quinten extensively on the subject matter of the admissions and he generally denied all of the admissions. In addition, he

specifically denied telling A.S. to fight back against bullies and that he had committed acts of violence against the other mother of his children. Ariel did not ask Quinten on this date whether he physically attacked her or whether he smoked around A.S. (including whether he smoked marijuana around A.S.). Quinten also testified that A.S. had not had a single asthma attack while in his care and that A.S. was treated for a urinary tract infection (UTI) shortly after she started living with him.

Two months later, Quinten's new attorney moved to withdraw the admissions.[2] The district court held a hearing on that motion on May 14, 2024, but Quinten and his counsel failed to appear due to a calendaring error. Because of that non-appearance, the court denied Quinten's motion without prejudice.

The next day, May 15, 2024, the district court held the second day of the evidentiary hearing. At the beginning of the hearing, Quinten renewed his motion to withdraw the admissions, which Ariel opposed. However, while the parties and the court discussed this request, the court did not issue a ruling on the motion at that time nor did it indicate when one would be forthcoming.

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[2]Quinten entitled his motion, "MOTION TO SET ASIDE ESTABLISHED ADMISSIONS," and the district court and both parties have likewise characterized the motion as seeking to "set aside" the admissions. However, NRCP 36(b) does not use the term "set aside," and instead provides that admissions may be "withdrawn" on motion. *Cf.* NRCP 36(b) ("A matter admitted under this rule is conclusively established unless the court, on motion, permits the admission to be *withdrawn* or amended." (emphasis added)). In accordance with NRCP 36(b), we use the terms "withdraw" or "withdrawn" instead of "set aside" when discussing this motion and the district court's subsequent ruling.

During the evidentiary hearing, Quinten denied physically attacking Ariel. Ariel testified that, while living with Quinten, A.S. developed a UTI and five cavities and that two of her teeth decayed. She further testified that Quinten had been in two car accidents with A.S., one of which required A.S. to be hospitalized, but he had only told Ariel about one of those accidents. Ariel also testified that Quinten refused to treat A.S.'s asthma. Finally, Ariel testified that Quinten attacked her "[h]undreds if not in the thousands" of times, encouraged A.S. to fight her bullies at school, and that A.S. was suspended from school for bad behavior, which resulted in the school requesting a parent-teacher conference. Like the first day of the hearing, Ariel did not ask Quinten whether he smoked around A.S.

Following the evidentiary hearing, the district court issued its written decision on Ariel's motion to modify custody and relocate to Arizona. First, the court granted Quinten's renewed motion to withdraw the admissions, relying on *Blanco v. Blanco*, 129 Nev. 723, 726, 311 P.3d 1170, 1172 (2013), for the proposition that "it is not permissible to resolve child custody . . . claims by default as a sanction for discovery violations because the child's best interest is paramount and compels a decision on the merits." Then, turning to the question of child custody, the court found there was a substantial change in circumstances affecting A.S.'s welfare based on testimony identifying health and behavioral problems A.S. had experienced since she began living with Quinten, including at least one car accident and treatment for decayed teeth, cavities, and a UTI.

With regard to the NRS 125C.0035(4) best-interest factors, the district court found that only one factor, concerning the maintenance of sibling relationships, weighed in favor of Ariel. *See* NRS 125C.0035(4)(i).

In contrast, the court found that four factors favored Quinten, including which parent was more likely to allow frequent associations and a continuing relationship with the other parent, the conflict between the parents, the mental and physical health of the parents, and the abduction factor. *See* NRS 125C.0035(4)(c), (d), (f), (l). The district court found the domestic violence factor set forth in NRS 125C.0035(4)(k) was neutral, after concluding that it did not find Ariel's and another witness's testimony regarding Quinten committing domestic violence credible. Moreover, the court noted that it was Ariel who had been arrested for domestic violence against Quinten, not the other way around. The court further found the factor on A.S.'s physical, developmental, and emotional needs to be neutral because both parents were meeting her needs in different ways. NRS 125C.0035(4)(g). Related to this determination, the court noted Quinten's testimony that A.S. had not had an asthma attack in his care.[3]

Returning to the abduction issue, the district court found that Ariel did not dispute that she moved to Arizona with A.S. without permission in June 2022,[4] and thus the court found that there was clear and convincing evidence that Ariel had committed an act of abduction under NRS 200.359(5). The court explained that Ariel's act of abduction triggered the rebuttable presumption against her having sole or joint custody or unsupervised parenting time under NRS 125C.0035(7). The court further determined that Ariel failed to rebut that presumption.

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[3]While the district court considered all of the best-interest factors, it determined that the remaining factors were either neutral or inapplicable.

[4]During the second day of the evidentiary hearing, Ariel admitted that she lied to the court when she testified at the February 2023, hearing that she had not relocated to Arizona with A.S. when, in fact, she had.

Based on these determinations, the district court stated that it was denying Ariel's motion to modify custody, but nonetheless went on to modify the custody arrangement by awarding Quinten primary, rather than sole, physical custody, and awarding Ariel unsupervised out-of-state parenting time during academic breaks. The court also awarded the parties joint legal custody, denied Ariel's relocation request, and ordered Ariel to pay child support. This appeal followed.

On appeal, Ariel challenges only the district court's custody determination, focusing primarily on the court's decision to withdraw Quinten's admissions after the evidentiary hearing was completed, which she contends was an abuse of discretion that violated her right to due process. Ariel further contends that the district court abused its discretion by not giving A.S.'s health greater weight in its best-interest analysis. We address these issues below.

The district court did not abuse its discretion by permitting withdrawal of the admissions and any error in doing so was harmless

Ariel first contends that the district court abused its discretion when it permitted withdrawal of the admissions, arguing—among other things—that the timing of the district court's decision prevented her from receiving a fair hearing. Ariel asserts that had the district court ruled at the beginning of the evidentiary hearing, she could have introduced evidence of the facts she was relying on the admissions to establish. Quinten disagrees.

"We review a district court's evidentiary decision for an abuse of discretion." *Abid v. Abid*, 133 Nev. 770, 772, 406 P.3d 476, 478 (2017). "Discovery matters are within the district court's sound discretion, and we will not disturb a district court's ruling regarding discovery unless the court

has clearly abused its discretion." *Club Vista Fin. Servs. L.L.C. v. Eight Jud. Dist. Ct.*, 128 Nev. 224, 228, 276 P.3d 246, 249 (2012).

Under NRCP 36(a)(3), "[a] matter is admitted unless, within 30 days after being served, the party to whom the request is directed serves on the requesting party a written answer or objection." As the Nevada Supreme Court recognized in *Estate of Adams ex rel. Adams v. Fallini*,

> [a]dmissions are sought, first, to facilitate proof with respect to issues that cannot be eliminated from the case and, second, to narrow the issues by eliminating those that can be. The rule is not to be used . . . in the hope that a party's adversary will simply concede essential elements. Rather, the rule seeks to serve two important goals: truth-seeking in litigation and efficiency in dispensing justice.

132 Nev. 814, 821, 386 P.3d 621, 626 (2016) (quoting *Conlon v. United States*, 474 F.3d 616, 622 (9th Cir. 2007)). Thus, there are circumstances where "the court may permit withdrawal or amendment if it would promote the presentation of the merits of the action and if the court is not persuaded that it would prejudice the requesting party in maintaining or defending the action on the merits." NRCP 36(b).

With regard to the first aspect of the NRCP 36(b) inquiry, the district court determined that permitting withdrawal of the admissions would promote the presentation of the merits of the action. The court did not abuse its discretion in reaching this conclusion.

It is well established that, in child custody matters, "the sole consideration of the court is the child's best interest." *Blanco*, 129 Nev. at 730, 311 P.3d at 1174; *see also* NRS 125C.0035(1) (providing that "[i]n any action for determining physical custody of a minor child, the *sole* consideration of the court is the best interest of the child" (emphasis

added)). And here, permitting withdrawal of the admissions promoted the presentation of the merits by allowing the parties to present evidence related to the information sought by the requests and address how that evidence related to the child's best interest. *See, e.g.*, *Citta v. Facka*, 812 N.W.2d 917, 926 (Neb. Ct. App. 2012) (recognizing that "[c]ourts in other states have determined that child custody determinations should not be made solely on the basis of unanswered requests for admission that would otherwise be deemed admitted"). Moreover, as the district court found, Quinten's failure to respond to the requests for admissions stemmed from his attorney's withdrawal and the concomitant confusion. Notably, in seeking to withdraw the admissions, Quinten emphasized that he was relying on his former counsel to handle responding to the requests, but the attorney instead withdrew from representing him. Indeed, although both Quinten and his former counsel were electronically served with the requests, it was counsel who opened them, not Quinten. Under these circumstances, we cannot conclude that the district court abused its discretion in finding that permitting withdrawal of the admissions would promote the presentation of the merits of the action.

The second aspect of the NRCP 36(b) analysis addresses whether the district court was persuaded that permitting withdrawal of the admissions "would prejudice the requesting party in maintaining or defending the action on the merits." In this case, by permitting withdrawal of the admissions, the district court demonstrated it was *not* persuaded that Ariel would be prejudiced by their withdrawal. On this point, we again discern no abuse of discretion.

Ordinarily, permitting withdrawal of admissions after the last day of an evidentiary hearing would prejudice the requesting party such

that—at a minimum—a continuance would be necessary. But under the unique circumstances of this case, we cannot conclude that Ariel was prejudiced by the timing of the district court's final decision. At the outset, we note that on day one of the evidentiary hearing, when the court advised Ariel that it could not find her requests for admission conclusively admitted *at that point*, Ariel questioned Quinten extensively on the subject matter of the admissions. Ariel also questioned Quinten on the same subject matter on the second day of the hearing. While Ariel may have preferred to rely on the admissions themselves instead of Quinten's contrary testimony, the fact remains that Ariel was able to question Quinten over a two-day period on the precise subject matter at issue. Thus, the district court's decision to permit the withdrawal of the admissions did not prevent Ariel from engaging in truth-seeking during the evidentiary hearing by cross-examining Quinten on the various subject matters contained in the admissions, even though her preference may have been to only use the admissions.[5] *See Est. of Adams ex rel. Adams*, 132 Nev. at 821, 186 P.3d at 626.

We further note that Ariel's appellate arguments focus on only three facts that the admissions would have established: (1) Quinten attacked her, (2) Quinten encouraged A.S. to fight her bullies at school, and (3) Quinten smoked around A.S. However, Ariel fails to cogently argue what

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[5]During oral argument, Ariel contended that she was unable to present her case as planned without the use of Quinten's admissions. We note that there were approximately three months between the first and second days of the evidentiary hearing. Therefore, we are not persuaded that Ariel had insufficient time to prepare for the remainder of the hearing without relying on the use of the admissions, particularly where she was able to cross-examine Quinten extensively on the subject areas set forth in the admissions.

evidence she would have introduced had she known that the district court would permit withdrawal of the admissions or explain how that evidence would have impacted the custody determination. Thus, we need not consider her arguments related to the admissions. *See Edwards v. Emperor's Garden Rest.*, 122 Nev. 317, 330 n.38, 130 P.3d 1280, 1288 n.38 (2006) (explaining that this court need not consider an appellant's argument that is not cogently argued).

Moreover, the district court had evidence regarding the very facts that Ariel intended to use the admissions to establish. Notably, during the second day of the hearing, Ariel testified that Quinten attacked her multiple times and had once encouraged A.S. to fight her bullies at school; thus, Ariel *did* put on evidence to establish the facts that would have been conclusively admitted. And while Ariel did not testify about Quinten smoking around A.S. or question him about his smoking, she certainly could have done so. But as to this point, the district court also had A.S.'s interview with the Family Mediation Center where A.S. discussed whether Quinten smoked around her.[6] The record demonstrates that the court considered the evidence and found that Ariel's testimony alleging that Quinten committed domestic violence was not credible. In addition, the court took judicial notice of A.S.'s interview when making its custody determination.

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[6]The district court ordered the Family Mediation Center to interview A.S. about whether Quinten smoked around her. While Ariel did not provide a copy of that interview for this court's review, we presume A.S. was interviewed about that fact and the interview does not support Ariel's contentions on appeal. *See Morrison v. State*, 140 Nev. 214, 224 n.10, 548 P.3d 431, 441 n.10 (Ct. App. 2024) ("And because it is the appellant's burden to ensure that a proper appellate record is prepared, we necessarily presume that the missing documents support the challenged decisions . . . .").

And, after considering all of the evidence before it, the district court determined that awarding Quinten primary physical custody was in A.S.'s best interest.

Although it would have been preferable for the district court to rule on Quinten's motion to withdraw the admissions prior to the close of evidence, Ariel has not shown that the timing of the court's decision prejudiced her under these circumstances. Therefore, we cannot conclude that the district court abused its discretion in permitting withdrawal of the admissions under NRCP 36(b). *See Abid*, 133 Nev. at 772, 406 P.3d at 478; *Club Vista Fin. Servs.*, 128 Nev. at 228, 276 P.3d at 249.

Moreover, even if the district court abused its discretion in permitting withdrawal of the admissions, Ariel has not demonstrated harmful error in light of the district court's findings regarding Ariel's abduction of A.S. An "error may not be predicated upon a ruling which admits or excludes evidence unless a substantial right of the party is affected." NRS 47.040(1); *cf.* NRCP 61 (stating that courts "must disregard all errors and defects that do not affect any party's substantial rights"). As our supreme court has recognized, an error affects substantial rights if "but for the alleged error, a different result might reasonably have been reached." *Wyeth v. Rowatt*, 126 Nev. 446, 465, 244 P.3d 765, 778 (2010).

Under NRS 125C.0035(7), if the district court finds by clear and convincing evidence that a parent "has committed an act of abduction against the child," then there is a rebuttable presumption "that sole or joint physical custody or unsupervised visitation of the child by the perpetrator of the abduction is not in the best interest of the child." Here, in making its custody determination, the district court found that there was clear and convincing evidence that Ariel had abducted A.S. since she did not dispute

that she relocated with A.S. to Arizona in June 2022, without Quinten's permission, in violation of NRS 125C.006.[7] The court further found that this conclusion triggered NRS 125C.0035(7)'s rebuttable presumption against awarding Ariel sole or joint physical custody or unsupervised parenting time, and that she failed to rebut that presumption.

Under NRS 125C.0035(7), "[i]f the parent . . . seeking physical custody does not rebut the presumption, the court *shall not* enter an order for sole or joint physical custody or *unsupervised visitation* of the child by the perpetrator" of the abduction.[8] (Emphases added). Where the perpetrator is statutorily precluded from having "unsupervised visitation" (*i.e.*, parenting time) with the child, NRS 125C.0035(7), it necessarily follows that primary physical custody is unavailable as well, *cf. Soldo-Allesio v. Ferguson*, 141 Nev., Adv. Op. 9 n.5, 565 P.3d 842, 848 n.5 (Ct. App. 2025) (explaining that NRS 125C.0035(5) and NRS 125C.230(1) "only explicitly establish a rebuttable presumption against awarding the

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[7]NRS 200.359(5) provides that "[a] parent who has primary physical custody of a child pursuant to an order, judgment or decree of a court shall not relocate with the child pursuant to NRS 125C.006 without the written consent of the non-relocating parent or the permission of the court." NRS 125C.006(1)(a)-(b) requires a parent with primary physical custody "to obtain the written consent of the noncustodial parent to relocate with the child" and "[i]f the noncustodial parent refuses to give that consent, petition the court for permission to relocate with the child."

[8]We note that the district court awarded Ariel unsupervised out-of-state parenting time despite the prohibition on such an award to the perpetrator of an abduction as set forth in NRS 125C.0035(7). However, Quinten has not appealed the district court's custody determination, and thus that issue is not before us on appeal. *See Palmieri v. Clark County*, 131 Nev. 1028, 1033 n.2, 367 P.3d 442, 446 n.2 (Ct. App. 2015) (declining to consider issues that the appellant failed to raise on appeal).

perpetrator of domestic violence 'sole or joint physical custody'" but "it logically follows . . . that a person who commits domestic violence should not be awarded primary physical custody if they are prohibited from receiving joint custody, which represents a lesser degree of custody"). In her briefing on appeal, Ariel does not address the district court's findings that the abduction presumption applied or that she failed to rebut the presumption, and thus she has waived any arguments on this issue. *See Palmieri*, 131 Nev. at 1033 n.2, 367 P.3d at 446 n.2. Under these circumstances, Ariel has not demonstrated that—but for the untimely withdrawal of the admissions—she would have been awarded primary physical custody of A.S. as she requested below.

We therefore conclude that any error by the district court in permitting withdrawal of the admissions was harmless as it did not affect Ariel's substantial rights.[9] *See* NRS 47.040(1); *Wyeth*, 126 Nev. at 465, 244 P.3d at 778; *cf.* NRCP 61.

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[9]Ariel also argues that the district court's decision to permit withdrawal of the admissions *after* the two-day evidentiary hearing violated her right to due process. But as just discussed, any error in the district court's decision to permit withdrawal of the admissions after the evidentiary hearing was harmless where Ariel has not demonstrated that there would have been a different result in the child-custody proceeding absent the error. *See Wyeth*, 126 Nev. at 465, 244 P.3d at 778. Indeed, a due process violation does not warrant reversal where the error is harmless. *See Mesi v. Mesi*, 136 Nev. 748, 751-53, 478 P.3d 366, 369-71 (2020) (holding that a due-process violation did not require reversal because the error was harmless). Thus, even if the timing of the district court's decision to permit withdrawal of the admissions violated Ariel's due-process rights, reversal would not be warranted.

The district court did not abuse its discretion in weighing the best-interest factors

Ariel also contends that the district court abused its discretion in evaluating the best-interest custody factors and awarding primary physical custody to Quinten. Although Ariel acknowledges that the district court conducted a "thorough and detailed analysis of the best[-]interest" factors, she nevertheless challenges the district court's conclusion that both parents were meeting A.S.'s physical, developmental, and emotional needs, such that NRS 125C.0035(4)(g) weighed neutrally. Ariel contends that the district court did not give sufficient consideration to Quinten's failure to coordinate with her and A.S.'s doctors regarding A.S.'s asthma treatment and that the court should have given *this* best-interest factor greater weight than the others because it was "arguably the most important factor."

This court does not disturb a "district court's custody determinations absent a clear abuse of discretion." *Ellis v. Carucci*, 123 Nev. 145, 149, 161 P.3d 239, 241 (2007). "An abuse of discretion occurs when a district court's decision is not supported by substantial evidence or is clearly erroneous." *Bautista v. Picone*, 134 Nev. 334, 336, 419 P.3d 157, 159 (2018). Substantial evidence is that which "a reasonable person may accept as adequate to sustain a judgment." *Ellis*, 123 Nev. at 149, 161 P.3d at 242. In reviewing child custody decisions, this court does not reweigh evidence or witness credibility. *Id.* at 152, 161 P.3d at 244; *Roe v. Roe*, 139 Nev. 163, 171, 535 P.3d 274, 285 (Ct. App. 2023).

In determining the best interest of the child, the district court must consider the non-exclusive list of factors set forth in NRS 125C.0035(4). The record demonstrates that the district court conducted a thorough examination of the best-interest factors and found that it was in A.S.'s best interest for Quinten to have primary physical custody. Aside

from her argument regarding A.S.'s asthma treatment, which implicates NRS 125C.0035(4)(g), Ariel does not suggest that *any* of those best-interest findings were not supported by substantial evidence, so she has forfeited any such argument. *See Palmieri*, 131 Nev. at 1033 n.2, 367 P.3d at 446 n.2. And factor NRS 125C.0035(4)(g), which the district court found was neutral, was indeed supported by substantial evidence.

Among other evidence, the district court relied on Quinten's testimony that A.S. had not had an asthma attack in his care. Because the court found there was nothing for Quinten to treat, it determined he was adequately meeting A.S.'s needs with respect to her asthma. We decline Ariel's invitation to reweigh that evidence in favor of her own testimony. *See Ellis*, 123 Nev. at 152, 161 P.3d at 244; *Roe*, 139 Nev. at 171, 535 P.3d at 285. Even more, to the extent Ariel argues that NRS 125C.0035(4)(g) was not given sufficient weight compared to the other best-interest factors, we disagree in light of the court's thorough examination of all of the best-interest factors. *See Roberts v. Andrino*, No. 89438, 2025 WL 3119014, at *2 (Nev. Nov. 4, 2025) (Order of Affirmance) (explaining that NRS 125C.0035(4) "does not mandate that any factors be given controlling weight, which allows the district court discretion in determining how much weight to assign to the factors based on the facts and circumstances of the case"). Thus, Ariel's challenge to the district court's best-interest analysis does not provide a basis for relief.

Under these circumstances, it cannot be said that the district court improperly weighed the best-interest factors as a whole, or that the court failed to give sufficient consideration to her testimony about the asthma issue when evaluating A.S.'s "physical, developmental and emotional needs." NRS 125C.0035(4)(g). As a result, Ariel's argument on

this issue is without merit. And even if Ariel's argument had merit, such error would be harmless because, as already explained, she failed to rebut the NRS 125C.0035(7) presumption against sole or joint physical custody or unsupervised parenting time, which precludes her from having primary physical custody.

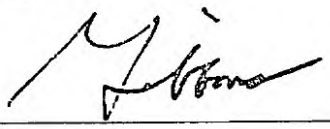
Because Ariel has not demonstrated that the district court abused its discretion in permitting withdrawal of the admissions or in conducting its best-interest analysis nor has she demonstrated how she was harmed by those decisions, we affirm.

Accordingly, for the reasons set forth above, we

ORDER the judgment of the district court AFFIRMED.[10]



_____, C.J.
Bulla



_____, J.
Gibbons



_____, J.
Westbrook

cc: Hon. Mari D. Parlade, District Judge
Ocampo Wiseman Law
Justice Law Center
Eighth District Court Clerk

[10]Insofar as the parties raise other arguments that are not specifically addressed in this order, we have considered the same and conclude that they do not present a basis for relief.