IN THE COURT OF APPEALS OF THE STATE OF NEVADA

SCOTT GARY GLICKMAN,
Appellant,
vs.
NICOLE CHRISTY GLICKMAN,
Respondent.

No. 90343-COA

FILED
MAY 07 2026
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY
DEPUTY CLERK

ORDER OF AFFIRMANCE

Scott Gary Glickman appeals from a district court child custody decree. Eighth Judicial District Court, Clark County; Mari D. Parlade, Judge.

Scott and respondent Nicole Christy Glickman were married in December 2019. They have one child, A.M., born in April 2021. Scott petitioned for divorce in July 2022, and Nicole filed a counterclaim for divorce. Both parties consented to joint legal custody, but each requested primary physical custody of A.M.

Nicole filed a motion seeking temporary primary physical custody of A.M. based, in part, on her allegation that Scott engaged in acts of domestic violence against her and her son from a prior relationship. Scott opposed, arguing the district court should either award him primary physical custody or award joint physical custody based on his allegation that Nicole committed domestic violence against him. Following a hearing, where the court expressed that it had grave reservations regarding Scott's behavior, the court entered a temporary custody order awarding Nicole primary physical custody with Scott receiving supervised parenting time

twice a week.[1] The district court subsequently held a trial over several days to decide a permanent physical custody arrangement for A.M. and to resolve unrelated financial matters.

In determining physical custody, the district court considered several incidents of alleged domestic violence where the parties presented conflicting testimony regarding who was the perpetrator of domestic violence in various incidents during the relationship. Multiple witnesses testified that, on July 4, 2022, Scott placed one of Nicole's children from another relationship in a headlock because Scott claimed that the child was being "disrespectful." Two eyewitnesses described this event as involving a headlock, and a third witness testified that Scott had admitted that he placed the child in a chokehold.

Nicole testified regarding another incident that took place on August 2, 2021, between Scott and Nicole in their garage. According to

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[1]During the course of the litigation both parties filed various motions seeking to modify this initial temporary custody order, but the district court maintained the temporary custody order until the 2024 trial. Throughout the trial, which took place over multiple days during a six-month period, the district court issued additional temporary custody orders. And although Scott expresses general concerns with the district court's temporary orders, these orders were nevertheless mooted by the final order. *Cf. In re Temporary Custody of Five Minor Children*, 105 Nev. 441, 443, 777 P.2d 901, 902 (1989) (recognizing that an order determining temporary custody of a minor is not appealable); *Young v. Young*, Nos. 85802 & 87269, 2023 WL 8884986, at *2 (Nev. Dec. 22, 2023) (Order Dismissing Appeals) (concluding an appeal of a temporary custody order was moot because the court "can grant no effective relief as to the court's temporary custody changes"). Accordingly, we do not discuss the motion practice or the temporary custody orders except as necessary for the resolution of Scott's challenge to the final custody order.

Nicole, she and Scott were arguing and when she turned around to leave, Scott pushed her off her feet into multiple moving dollies that were laying on the ground. Nicole claimed this incident caused substantial bruising across the front of her body and offered photographs of her alleged injuries, which the district court admitted into evidence. When challenged on how the bruising matched up with her account of the incident, Nicole physically demonstrated how the various parts of the dollies made contact with her body when she landed on them.

Nicole also testified that after A.M. was born, "Scott was angry" and he "got on top of me and put a knee in my C-section incision." Nicole also alleged that, on two occasions, Scott choked her.

In his testimony, Scott denied Nicole's allegations regarding the garage incident. Scott admitted the parties were arguing but claimed that when he turned to leave, Nicole jumped on his back and he "threw her off." Then, Nicole "stumbled backwards on a moving dolly . . . and she fell on it." However, Scott's testimony was contradicted by photographs of the injuries, which revealed significant bruising on the *front* of Nicole's body.

Scott further denied ever striking Nicole. Scott noted several instances where Nicole had struck him. Scott claimed that Nicole "punched [him] in the nose," "punched [him] in the lip," "scraped [his] face with her fingernails," and "punched [him] in the groin." In support of these claims, Scott offered photographs of his bloody lip allegedly from when Nicole punched him. The district court admitted the photographs of Scott's lip injury. Scott's son from a prior marriage also testified in support of his father, claiming that he had witnessed marks on his father's face possibly related to domestic violence, but he was not sure and only determined it may have been related to domestic violence "looking back." Scott did not

question Nicole regarding his allegations of abuse by her, and she did not provide any testimony addressing them.

At the conclusion of the second day of the trial, the district court orally modified the temporary custody order to permit Scott additional unsupervised parenting time.[2] The district court gave Scott parenting time on the second and fourth weekends of the month, for at least six and a half hours a day. This was also characterized by the court as a temporary custody order.

While the parties were awaiting the district court's final written order adjudicating physical custody, Nicole filed a motion which alleged that on May 29, 2024, Scott assaulted her during a custody exchange. The district court subsequently held an evidentiary hearing to address this new allegation of domestic violence. At the hearing, Nicole testified that when Scott arrived to pick up A.M., who was then three years old, he did not have a suitable car seat. Nicole claimed that Scott placed A.M. in the vehicle and used the vehicle's lap belt to restrain A.M. This caused Nicole to approach the vehicle and open the rear passenger door to remove A.M. Nicole further testified that, during the incident, Scott grabbed her "arm a couple times, hard enough to leave nail marks." Ultimately, Nicole was able to remove A.M. from Scott's car. Scott left and eventually returned with a proper car seat, and the remainder of the custody exchange was uneventful. Nicole offered video evidence supporting her testimony, which the court admitted into evidence.

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[2]We note that, despite the evidence of domestic violence, the district court had, at this point, not yet considered all of the physical evidence nor made NRS 125C.0035(5) findings.

During Scott's testimony, he claimed that he had an adequate "travel" car seat for A.M., which used straps along with the lap belt to create a five-point harness, and that therefore Nicole had no reasonable basis to remove A.M. from the car. Scott further denied that he grabbed Nicole's arm, claiming that he only "blocked her." Scott admitted to touching Nicole's arm multiple times without consent, and he stated that he would "[a]bsolutely" do the same thing again. Following this hearing, the district court once again modified the temporary custody order, expanding Scott's in-person parenting time within certain parameters.

In February 2025, the district court issued its Findings of Fact, Conclusions of Law, Custody Decree and Final Orders. As relevant to the disposition of this appeal, the court determined that Nicole and her witnesses credibly testified that Scott engaged in domestic violence during the relationship. Specifically, the court found credible that Scott placed one of Nicole's children in a headlock on July 4, 2022. Regarding the incident in the garage, the court again found Nicole's testimony credible that Scott pushed Nicole into the moving dollies. Regarding the May 29, 2024, incident over A.M.'s car seat, the court again found Nicole's account, that Scott grabbed her without her consent, to be credible. The district court did not find any of Scott's allegations of domestic violence allegedly perpetrated by Nicole to be credible.

After an exhaustive analysis of the best interest factors in NRS 125C.0035(4), the district court concluded that it was in A.M.'s best interest for the parties to share joint legal custody, but for Nicole to have primary physical custody. Of note, the district court found that Scott "has engaged in a pattern of HIGH-CONFLICT behavior designed to bully, intimidate, and harass Nicole"; Scott had previously chosen to "blame, disparage and

argue with Nicole" rather than "meet[ing] his son's medical needs—*as the board certified physician that Scott proclaims he is*"; Scott "exhibited impulse control issues"; and Scott had a history of parental abuse or domestic violence. Therefore, the court concluded that each best interest factor was either neutral or favored Nicole, and therefore it was in A.M.'s best interest for Nicole to have primary physical custody.

The district court further supported its grant of primary physical custody to Nicole by performing a domestic violence analysis in accordance with NRS 125C.0035(5)-(6). Based on the above credibility determinations and testimony, the court found that, pursuant to NRS 125C.0035(5), clear and convincing evidence supported the finding that Scott engaged in multiple instances of domestic violence. The court recognized that this finding created a rebuttable presumption, which Scott did not overcome, and therefore it was not in A.M.'s best interest to award Scott sole or joint physical custody. And because of this, Nicole would be awarded primary physical custody.

Based, in part, on its conclusion that Scott committed domestic violence against Nicole and her child from a prior relationship, the district court concluded it needed to enter a parenting time arrangement that adequately protected A.M. and Nicole. The court devised a two-stage parenting time schedule. During stage one, Scott, who had moved to Florida during these proceedings, would receive "bi-monthly weekend visits from FRIDAY at 1:00 PM until SUNDAY at 1:00 PM" in Clark County, Nevada.

Stage two would begin when the following conditions were satisfied: (1) Scott "exercise[d] SIX MONTHS of CONSISTENT UNINTERRUPTED VISITS" with A.M. "without any further incidents of domestic violence"; and (2) Scott submitted to a psychological evaluation by

a qualified provider who had reviewed both the court's NRS 125C.0035 best interest findings and its findings regarding domestic violence and Scott needed to "follow all treatment recommendations." During stage two, Scott could elect to have A.M. spend the first five days of every month with Scott in Florida, in lieu of Scott's bi-monthly weekend visits to Nevada. Further, each parent was entitled to a daily video call with A.M. when he was in the other parent's custody.

The district court noted that "this custodial order [was] the least restrictive parenting time arrangement possible to avoid constraining the parent child relationship any more than is necessary." Further, the court observed that the parenting time schedule provided "significantly more than the visitation that SCOTT has exercised throughout the life of the case." This appeal followed.

On appeal, Scott challenges the physical custody award, arguing that the district court actually awarded Nicole sole physical custody without finding he was an unfit parent as required. Further, Scott argues the district court violated his constitutional rights by restricting his parenting time to Nevada and that the court impermissibly delegated its decision-making authority by conditioning stage two parenting time upon Scott obtaining a psychological evaluation, since he had already completed one.

This court reviews district court decisions concerning child custody for an abuse of discretion. *Ellis v. Carucci*, 123 Nev. 145, 149, 161 P.3d 239, 241 (2007). When evaluating the children's best interest, the district court must consider all twelve factors set forth in NRS 125C.0035(4), and a written custody decree must contain findings regarding those factors and tie the findings to the ultimate custody determination.

Davis v. Ewalefo, 131 Nev. 445, 450-51, 352 P.3d 1139, 1143 (2015). "We presume that the district court properly exercised its discretion in determining the best interest[ ] of the child." *Flynn v. Flynn*, 120 Nev. 436, 440, 92 P.3d 1224, 1226-27 (2004). However, "deference is not owed to legal error, or to findings so conclusory they may mask legal error." *Davis*, 131 Nev. at 450, 352 P.3d at 1142 (citation modified).

In reviewing a district court's child custody determinations, we focus on whether the district court reached its conclusions for the appropriate legal reasons and whether its factual findings were supported by substantial evidence. *Ellis*, 123 Nev. at 149, 161 P.3d at 241-42; *see also Sims v. Sims*, 109 Nev. 1146, 1148, 865 P.2d 328, 330 (1993) (stating that we "must be satisfied that the [district] court's determination was made for the appropriate reasons"). Substantial evidence "is evidence that a reasonable person may accept as adequate to sustain a judgment." *Ellis*, 123 Nev. at 149, 161 P.3d at 242.

On appeal, Scott does not challenge the district court's best interest findings, nor does he contend that he overcame NRS 125C.0035(5)'s presumption against joint physical custody based on the district court's finding of clear and convincing evidence of domestic violence. Instead, Scott appears to challenge the sufficiency of his parenting time. Scott argues that although the court designated the order as primary physical custody, it so restricted his parenting time as to constitute a sole physical custody order. Scott contends that an award of sole physical custody was in error because the court failed to find he was an unfit parent as required.

Sole physical custody exists "where the child resides with only one parent and the noncustodial parent's parenting time is restricted to no significant in-person parenting time." *Roe v. Roe*, 139 Nev. 163, 174, 535

P.3d 274, 287 (Ct. App. 2023). Examples of a sole physical custody arrangement are when a district court issues orders "that limit[ ] parenting time to restrictive supervised parenting time, virtual contact, phone calls, letters, texts, a very limited block of hours on a single day of the week, or a similarly restraining parenting time arrangement." *Id.*

Here, we conclude the district court did not enter an award of sole physical custody and thus was not required to make a finding as to Scott's fitness as a parent as Scott contends. Notably, during stage one, the district court awarded Scott two weekends of in-person parenting time per month, which included unsupervised overnight visits. We do not construe this as "a custodial arrangement where [A.M.] resides with only one parent" and has no significant in-person time with Scott. *Id.*

We also conclude the district court's finding that clear and convincing evidence demonstrates Scott engaged in domestic violence is supported by substantial evidence and thus the court was required to create a parenting time arrangement that adequately protected both A.M. and Nicole. *See Soldo-Allesio v. Ferguson*, 141 Nev., Adv. Op. 9, 565 P.3d 842, 849 (Ct. App. 2025) (holding a court must find clear and convincing evidence of domestic violence to apply NRS 125C.0035(5)'s presumption against joint physical custody); *see also* NRS 125C.0035(5)(b) (requiring that once a district court determines, by clear and convincing evidence, a parent has engaged in domestic violence, it must enter a parenting time arrangement that adequately protects the child and other parent). And Scott presents no argument demonstrating the district court abused its discretion in limiting his parenting time as required by NRS 125C.0035(5)(b) to address safety concerns for both Nicole and A.M.

Scott further argues that the district court violated his constitutional rights by restricting his stage one parenting time with A.M. to Clark County, Nevada. First, he argues that the court's restriction "violates the right to travel under the Fourteenth Amendment." Second, he argues that, because Nicole is permitted to take A.M. to Arizona to visit her parents, the court treated two similarly situated parents differently, thereby violating his equal protection rights. Nicole counters that there were no constitutional violations because Scott was afforded procedural due process and she and Scott were not similarly situated, as the district court had determined that Scott had engaged in domestic violence during their relationship where she had not.

Scott fails to cogently argue or provide adequate support for his position that the district court infringed on his constitutional rights when it imposed the parenting time schedule for him to follow. Consequently, we need not consider his argument. *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 or lacks support of relevant authority). Nevertheless, we note that the district court's limitations were made based on the best interest of the child and were supported by substantial evidence. Furthermore, as we previously noted, because the district court found Scott engaged in domestic violence, it was required to enter an order which properly protected A.M. and Nicole. *See* NRS 125C.0035(5)(b). Thus, to the extent Scott argues the parties are similarly situated or there was otherwise insufficient evidence to support the travel restriction, we conclude the court did not abuse its discretion. *See Roe*, 139 Nev. at 169, 535 P.3d at 284 (holding that we review custody orders for an abuse of discretion and will affirm the order so

long as it is supported by substantial evidence). Accordingly, we affirm the district court's award of primary physical custody to Nicole and the court's stage one parenting time schedule for Scott.[3]

Scott next argues that the district court impermissibly delegated decision-making authority to a qualified evaluator because stage two parenting time was conditioned on Scott undergoing a psychological evaluation and the court had already required him to undergo one. "District courts may direct that an investigation be conducted for assistance in determining the appropriate custodial award." *Roe*, 139 Nev. at 178, 535 P.3d at 290; NRS 125C.0025(2). However, a court must have "the ultimate decision-making power regarding custody determinations" and cannot delegate the power "to modify[ ] the underlying custody arrangement." *Bautista v. Picone*, 134 Nev. 334, 337, 419 P.3d 157, 159 (2018). In *Roe*, this court held that a court impermissibly delegated decision-making power to a reunification therapist because the court allowed the therapist to determine when a parent was ready to have any modification of the parenting time schedule. 139 Nev. at 178, 535 P.3d at 290.

Here, Scott contends "that requiring him to submit to a second psychological evaluation . . . is an abuse of discretion" and "[t]he Court's reliance on the psychological evaluation is a delegation of decision-making."

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[3]Scott additionally contends the district court's order is ambiguous because it states that he cannot proceed to stage two parenting time unless he completes stage one "WITHOUT INCIDENT" without defining that term. However, Scott cites no relevant authority to support his position and presents no cogent explanation for how the court's handling of this issue constitutes reversible error. Thus, we need not address this issue. *See Edwards*, 122 Nev. at 330 n.38, 130 P.3d at 1288 n.38 (2006). We further note that Scott could have sought clarification from the district court regarding this issue, but failed to do so.

We conclude the district court did not delegate its decision-making authority by requiring Scott to obtain a second psychological evaluation. Further, there is no language in the district court's order to support that the court impermissibly delegated its decision-making authority regarding Scott's parenting time. Therefore, Scott is not entitled to relief based on this argument.[4]

Accordingly, we

ORDER the district court's child custody decree AFFIRMED.



_____, C.J.
Bulla



_____, J.
Gibbons



_____, J.
Westbrook

cc: Hon. Mari D. Parlade, District Judge
Roberts Stoffel Family Law Group
American Freedom Group, LLC
Eighth District Court Clerk

[4]Insofar as Scott raises 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.