IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE GUARDIANSHIP OF THE PERSON AND ESTATE OF HOVIEH GARAKANI,

SHAHRZAD JANNAT; AND JAFAR SHAMIM,
Appellants,
vs.
FARIBORZ "FRED" OSAFI,
Respondent.

No. 65808

FILED

JUN 11 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY
DEPUTY CLERK

ORDER OF AFFIRMANCE

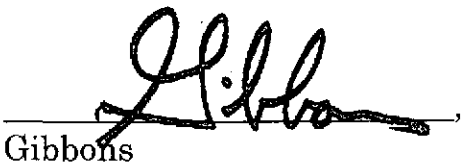
This is a pro se appeal from a district court order adopting a commissioner's recommendation to deny appellants' petition for guardianship. Eighth Judicial District Court, Family Court Division, Clark County; Charles J. Hoskin, Judge.

On February 11, 2014, the guardianship commissioner issued a written report and recommendation to deny appellants' petition for guardianship after reviewing the proposed ward's estate planning documents and finding that they appointed respondent as guardian of the person and successor trustee of the proposed ward's trust. The commissioner found that the documents appeared to be signed and valid as executed, and that no evidence or testimony had been presented as to the proposed ward's capacity. Appellants were served with a notice of the report and recommendation, which included an admonishment that they had ten days to file a written objection under NRCP 53. Appellants did not timely file an objection, and on May 1, 2014, the district court entered an order adopting the commissioner's report and recommendation. Appellants now appeal.

Following a special master's hearing, the master must submit a report with written findings of fact and conclusions of law, *see* NRCP 53(e)(1), and in cases not tried before a jury, "the court shall accept the master's findings of fact unless clearly erroneous." NRCP 53(e)(2). If any party makes a written objection within ten days after being served with the master's findings, the district court may adopt, modify, or reject the report, or may receive further evidence. *Id.* Here, appellants failed to timely object to the guardianship commissioner's report and recommendation of February 11, 2014, and the district court adopted the report in its entirety. Appellants have not demonstrated that the guardianship commissioner's findings were clearly erroneous. *See id.* Accordingly, we

ORDER the judgment of the district court AFFIRMED.

, J.
Saitta

, J.
Gibbons

, J.
Pickering

cc: Hon. Charles J. Hoskin, District Judge, Family Court Division
Jafar Shamim
Shahrzad Jannat
Solomon Dwiggins & Freer, Ltd.
Eighth District Court Clerk