

Filed 3/13/19 by Clerk of Supreme Court
IN THE SUPREME COURT
STATE OF NORTH DAKOTA

2019 ND 60

Nathan Richard Miles,

Plaintiff and Appellee

v.

Sierra Marie Holznagel,
and
State of North Dakota,

Defendant and Appellant
Statutory Real Party in Interest

No. 20180388

Appeal from the District Court of Stark County, Southwest Judicial District,
the Honorable James D. Gion, Judge.

AFFIRMED.

Per Curiam.

Markus A. Powell, Dickinson, ND, for plaintiff and appellee.

Mary E. Depuydt, Wishek, ND, for defendant and appellant.

State of North Dakota, statutory real party in interest; no appearance.

Miles v. Holznagel

No. 20180388

Per Curiam.

[¶1] Sierra Holznagel appeals from district court orders granting Nathan Miles primary residential responsibility of their minor child and denying a motion to reconsider or grant a new trial. Holznagel argues the district court erred in finding a material change in circumstances supported the change in residential responsibility and overlooked facts when analyzing the best interest factors. Holznagel further argues the court abused its discretion by limiting an evidentiary hearing to three hours, allowing testimony from certain witnesses and denying a continuance. We summarily affirm under N.D.R.App.P. 35.1(a)(2), (3) and (4).

[¶2] Gerald W. VandeWalle, C.J.
Daniel J. Crothers
Lisa Fair McEvers
Jon J. Jensen
Jerod E. Tufte