FILED
IN THE OFFICE OF THE
CLERK OF SUPREME COURT
JUNE 3, 2021
STATE OF NORTH DAKOTA

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

2021 ND 96

Kyra Joyce Mistic n/k/a Kyra J. Bellew, Plaintiff and Appellant

v.

Joshua James Mistic, Defendant and Appellee

No. 20200313

Appeal from the District Court of Richland County, Southeast Judicial District, the Honorable Bradley A. Cruff, Judge.

AFFIRMED.

Per Curiam.

William D. Woodworth, Bismarck, N.D., for plaintiff and appellant; submitted on brief.

Amy M. Clark, Wahpeton, N.D., for defendant and appellee; submitted on brief.

Mistic v. Mistic
No. 20200313

Per Curiam.

[¶1] Kyra Mistic appeals from an amended divorce judgment. She argues the district court's decision to award Joshua Mistic primary residential responsibility of the parties' three minor children is not supported by the evidence. She also argues the court did not provide her with adequate time to present her case at an evidentiary hearing. We summarily affirm under N.D.R.App.P. 35.1(a)(2) and (4). *See Wolt v. Wolt*, 2010 ND 26, ¶ 7, 778 N.W.2d 786 (we will not reweigh evidence under the clearly erroneous standard of review, which applies to primary residential responsibility determinations). *See also Mairs v. Mairs*, 2014 ND 132, ¶ 12, 847 N.W.2d 785 (a district court's imposition of time limitations at an evidentiary hearing is reviewed for an abuse of discretion). Joshua Mistic's motion to strike is denied.

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