

IN THE SUPREME COURT OF THE STATE OF NEVADA

PHILLIP SCHINDLER,
Appellant,
vs.
SONNY'S TAVERN, INC.,
Respondent.

No. 48052

FILED

JUL 17 2007

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY J. Bloom
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court order refusing to dissolve a preliminary injunction. Eighth Judicial District Court, Clark County; Jessie Elizabeth Walsh, Judge.


Generally, the district court should dissolve an injunction that was improperly issued or when the reasons for granting it no longer exist.¹ The refusal to dissolve a preliminary injunction rests in the district court's sound discretion and may not be disturbed on appeal absent an abuse of discretion.² Having reviewed the appellate record, we conclude that the district court did not abuse its discretion in denying appellant's motion to dissolve the preliminary injunction. Further, we are not persuaded that

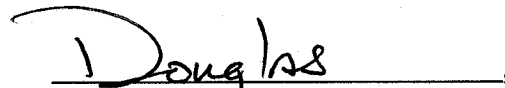
¹43A C.J.S. Injunctions § 373 (2004).

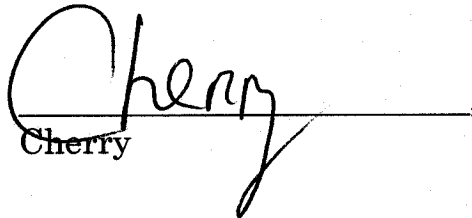
²Union Interchange, Inc. v. Savage, 342 P.2d 249, 252 (Cal. 1959); see also Clark Co. School Dist. v. Buchanan, 112 Nev. 1146, 1150, 924 P.2d 716, 719 (1996) (recognizing that "the granting of a preliminary injunction lies within the discretion of the district court").

the district court abused its discretion in maintaining the bond amount at the same level.³ Accordingly, we

ORDER the judgment of the district court AFFIRMED.⁴


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Cherry

cc: Hon. Jessie Elizabeth Walsh, District Judge
William F. Buchanan, Settlement Judge
Steven B. Glade
Cogburn Law Offices
Eighth District Court Clerk

³See NRCP 65(c) (stating that a district court has discretion to set the bond amount, “in such sum as the court deems proper”); Artistic Hairdressers, Inc. v. Levy, 87 Nev. 313, 486 P.2d 482 (1971).

⁴Our jurisdiction is limited to the order refusing to dissolve the preliminary injunction, see NRAP 3A(b)(2); accordingly, we have not considered appellant’s arguments concerning the district court’s allocation of responsibility for the receiver’s fees and costs. Appellant is free to make those arguments in any appeal from the final judgment in this matter.