

IN THE SUPREME COURT OF THE STATE OF NEVADA

FRANK HAJDU,  
Appellant,  
vs.  
FLAMINGO PARADISE GAMING, LLC,  
A NEVADA CORPORATION D/B/A  
TERRIBLE'S HOTEL AND CASINO,  
Respondents.

No. 48181

**FILED**

JAN 30 2008

TRACEE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court judgment entered on jury verdict in a personal injury action. Eighth Judicial District Court, Clark County; Sally L. Loehrer, Judge.

Appellant Frank Hajdu filed a complaint in district court against respondent Flamingo Paradise Gaming d/b/a Terrible's Hotel and Casino and others<sup>1</sup> for injuries he received when he was electrically shocked walking across Terrible's parking lot. The district court entered judgment for the respondent after a jury found for Terrible's. The parties are familiar with the facts, and we do not recount them here except as necessary for our disposition.

On appeal, Hajdu maintains that the district court erred when it denied admission of an e-mail which was not disclosed during discovery. Although this court has not expressly stated a standard of review for orders imposing discovery sanctions under NRCP 16.1(e)(3)(B), this court generally reviews a district court's discovery sanction order for abuse of

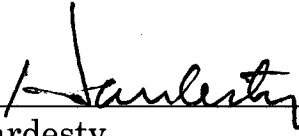
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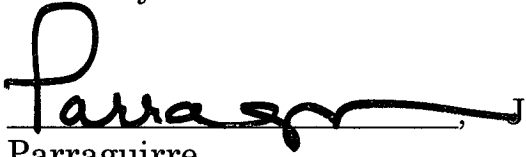
<sup>1</sup>All other parties were dismissed before trial.

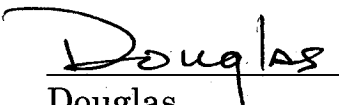
discretion.<sup>2</sup> This court also reviews a district court's decision to admit evidence for abuse of discretion or manifest error.<sup>3</sup>

Hajdu could not authentic the e-mail and failed to explain why it had not been produced during discovery. We conclude that the district court did not abuse its discretion or commit manifest error by refusing to admit the e-mail under either NRS 52.015 or NRCP 16.1(e)(3)(B). Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>4</sup>

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Douglas

cc: Hon. Sally L. Loehrer, District Judge  
William F. Buchanan, Settlement Judge  
Potter Law Offices  
Stephenson & Dickinson  
Eighth District Court Clerk

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<sup>2</sup>Clark Cty. Sch. Dist. V. Richardson Constr., 123 Nev. \_\_\_, \_\_\_, 168 P.3d 87, 93 (2007).

<sup>3</sup>University & Cmty. Coll. Sys. v. Sutton, 120 Nev. 972, 985, 103 P.3d 8, 16-17 (2004).

<sup>4</sup>Hajdu's remaining arguments are either untimely or lack merit.