

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM JOSEPH BRUNS,  
Appellant,

vs.

JACKIE CRAWFORD, DIRECTOR  
(NDOC); GEORGE GRIGAS, ACTING  
ASSISTANT DIRECTOR (NDOC); TED  
D'AMICO, MEDICAL DIRECTOR  
(NDOC); DAVID MELIGAN AND  
DONALD HELLING, WARDENS  
(NNCC); REX REED, MEDICAL  
ADMINISTRATOR (NDOC); MAX  
NEUNEKER, AWP (NNCC);  
STEPHANIE HUMPHREY, AWP  
(NNCC); MAGGIE ROYCE, NURSING  
SUPERVISOR (NNCC); MICHAEL  
FORREST, P.A.C.; JOHN COLEMAN,  
AWO (NNCC); JOHN PERRY,  
DIRECTOR OF NURSING; KAREN  
GEDNEY, M.D. (NNCC/RMF);  
MARSHA JOHNS, M.D. (NNCC/RMF);  
SUED IN THEIR INDIVIDUAL AND  
OFFICIAL CAPACITIES; AND KEITH  
KENNEDY, SUED IN HIS OFFICIAL  
AND INDIVIDUAL CAPACITY,  
Respondents.

No. 49061

**FILED**

JUL 26 2007

MANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK


ORDER OF AFFIRMANCE

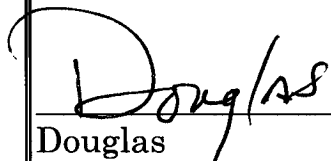
This is a proper person appeal from a district court order denying a preliminary injunction. First Judicial District Court, Carson City; James Todd Russell, Judge.

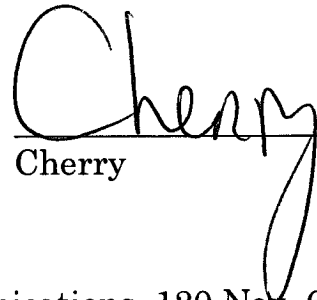
Appellant, while in respondents' custody, filed a motion for "declaratory injunctive relief." While the motion was pending, appellant was released from respondents' custody. After the district court denied appellant's motion, appellant appealed the order to this court.

“The denial of a preliminary injunction will be reversed only where the district court abused its discretion or based its decision on an erroneous legal standard or on clearly erroneous findings of fact.”<sup>1</sup> For a preliminary injunction to issue, the moving party must demonstrate that he (1) is reasonably likely to succeed on the merits, and (2) would be subject to irreparable harm, for which there is no adequate legal remedy, if the nonmoving party’s conduct continued.<sup>2</sup> Having reviewed the record, appellant’s civil proper person appeal statement and opening brief, respondents’ response, and appellant’s response, we perceive no abuse of discretion or error in the district court’s decision. Accordingly, we affirm the district court’s order.<sup>3</sup>

It is so ORDERED

  
\_\_\_\_\_, J.  
Gibbons

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

  
\_\_\_\_\_, J.  
Cherry

<sup>1</sup>Attorney General v. NOS Communications, 120 Nev. 65, 67, 84 P.3d 1052, 1053 (2004) (quoting U.S. v. Nutri-cology, Inc., 982 F.2d 394, 397 (9th Cir. 1992)).

<sup>2</sup>State, Dep’t of Conservation v. Foley, 121 Nev. 77, 80, 109 P.3d 760, 762 (2005).

<sup>3</sup>This court’s jurisdiction is limited to the order denying a preliminary injunction, see NRAP 3A(b)(2); accordingly, we have not considered appellant’s arguments concerning the district court’s denial of declaratory relief.

cc: Hon. James Todd Russell, District Judge  
William Joseph Bruns  
Attorney General Catherine Cortez Masto/Carson City  
Carson City Clerk