

IN THE SUPREME COURT OF THE STATE OF NEVADA

DANIEL MONDRAGON,
Appellant,
vs.
JOSE DE JESUS GARRIDO-LOPEZ,
Respondent.

No. 52086

FILED

NOV 13 2009

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *S. Young*
DEPUTY CLERK

ORDER OF AFFIRMANCE


This is an appeal from a district court summary judgment in a tort action. First Judicial District Court, Carson City; James Todd Russell, Judge.

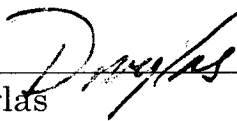
On appeal, appellant Daniel Mondragon argues that the district court erred in granting summary judgment against him on his claims against respondent Jose De Jesus Garrido-Lopez stemming from a motorcycle accident based on a release, signed by Mondragon, discharging Garrido-Lopez from liability for any and all claims arising from the accident. Mondragon argues that triable issues of fact exist regarding whether a mutual mistake occurred in his signing of the release and that the district court misapplied the parol evidence rule in granting summary judgment.

Having reviewed the parties' briefs and the record on appeal, we conclude that the district court properly granted summary judgment to

Garrido-Lopez. NRCP 56; Wood v. Safeway, Inc., 121 Nev. 724, 121 P.3d 1026 (2005). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

 J.
Parraguirre

 J.
Douglas

 J.
Pickering

cc: Hon. James Todd Russell, District Judge
Cathy Valenta Weise, Settlement Judge
Kenneth J. Jordan
Ranalli & Zaniel, LLP
Carson City Clerk