

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHARLES GRAHAM AND DOREEN  
SCHRADER,  
Appellants,  
vs.  
HENDERSON SADDLE ASSOCIATION,  
INC.,  
Respondent.

No. 52836

**FILED**

JAN 11 2010

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY Sydney  
DEPUTY CLERK

ORDER OF AFFIRMANCE

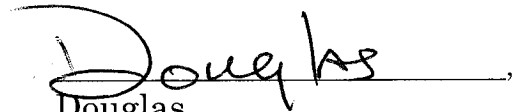
This is an appeal from a district court summary judgment in a torts action. Eighth Judicial District Court, Clark County; Michelle Leavitt, Judge.

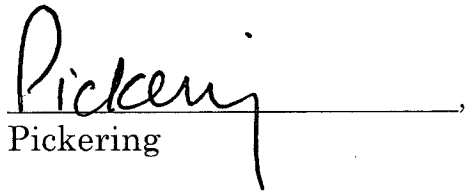
Having reviewed the briefs and appendices on appeal, we conclude that the district court properly granted summary judgment in favor of respondent, and thus, we affirm. Appellants failed to set forth sufficient facts to demonstrate a genuine issue of material fact concerning whether the attacks at issue in this appeal were reasonably foreseeable by respondent, so as to impose a duty on respondent. Wood v. Safeway, Inc., 121 Nev. 724, 729-32, 121 P.3d 1026, 1029-31 (2005); Scialabba v. Brandise Constr. Co., 112 Nev. 965, 969, 921 P.2d 928, 930-31 (1996) (holding that a landowner only owes a duty to protect a person from injury caused by a third-party if the third-party's actions were reasonably foreseeable); Thomas v. Bokelman, 86 Nev. 10, 13-14, 462 P.2d 1020, 1022-23 (1970) (stating that there is no duty to prevent wrongful third-party conduct unless it is reasonably foreseeable and holding that, while generally summary judgment is not appropriate in negligence cases, summary judgment should be granted when plaintiff fails to provide a

sufficient basis for an issue of material fact and defendant is entitled to judgment as a matter of law). Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>1</sup>

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

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

  
\_\_\_\_\_, J.  
Pickering

cc: Hon. Michelle Leavitt, District Judge  
Stephen E. Haberfeld, Settlement Judge  
Law Office of William R. Brenske  
William P. Volk, LLC  
Eighth District Court Clerk

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<sup>1</sup>We have determined that this appeal should be submitted for decision on the briefs and appellate record without oral argument. See NRAP 34(f)(1).