

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALEX SORIA, FOR HIMSELF, AND AS  
ASSIGNEE OF ALL RIGHTS AND  
CLAIMS OF WILLIAM VINSON,  
Appellant,  
vs.  
CHRISTIANA BANK AND TRUST CO.,  
Respondent.

No. 52901

**FILED**

**SEP 24 2009**

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

ORDER OF AFFIRMANCE

This is a proper person appeal from a district court order partially granting a preliminary injunction. Eighth Judicial District Court, Clark County; Kenneth C. Cory, Judge.

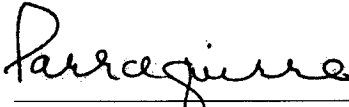
On appeal, Appellant Alex Soria contends that the district court should have enjoined his removal from the subject property because he received insufficient notice of the justice court eviction proceeding that ultimately resulted in a writ of restitution to return the property to respondent Christiana Bank and Trust Co. Soria further argues that the district court failed to properly consider the lender fraud and unfair lending practices issues that he asserts were raised in his district court complaint for declaratory relief and to quiet title. But the challenged order reflects that, at the hearing regarding Soria's motions for a preliminary injunction, the court permitted Soria to pay the monthly mortgage amount and remain on the property for 30 additional days to provide time for him to "set forth and elaborate upon his arguments" in support of his request for a preliminary injunction. Thus, it appears that the court was unable to determine whether Soria could demonstrate that returning the property to Christiana Bank would cause him irreparable harm for which compensatory relief is inadequate and that he has a

reasonable likelihood of success on the merits. See NRS 33.010; University Sys. v. Nevadans for Sound Gov't, 120 Nev. 712, 721, 100 P.3d 179, 187 (2004).


Having reviewed Soria's civil proper person appeal statement, Christiana Bank's response, Soria's reply,<sup>1</sup> and the record, we conclude that the district court did not abuse its discretion when it denied Soria injunctive relief, and instead provided him additional time to set forth and clarify his contentions. See Labor Comm'r v. Littlefield, 123 Nev. 35, 38, 153 P.3d 26, 28 (2007) (reviewing a district court's decision with respect to injunctive relief for an abuse of discretion); A.L.M.N., Inc. v. Rosoff, 104 Nev. 274, 277, 757 P.2d 1319, 1321 (1988) (same).

Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>2</sup>

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

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

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

<sup>1</sup>We deny Soria's request in his reply that we strike Christiana Bank's response to his appeal statement.

<sup>2</sup>In light of this order, we deny as moot (1) Soria's August 3, 2009, "Application for a Temporary Restraining Order"; and (2) any relief requested in Soria's letter to this court, filed on August 28, 2009.

Having considered all of the issues raised by Soria, we conclude that his other contentions lack merit and thus do not warrant reversal of the district court's order.

cc: Hon. Kenneth C. Cory, District Judge  
Alex Soria  
Wilde Hansen, LLP  
Eighth District Court Clerk