

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID BRADLEY,
Appellant,

vs.

MICHAEL J. BOGAN AND MICHAEL J.
BOGAN TRUST,
Respondents.

No. 54839

FILED

DEC 09 2010

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

ORDER OF AFFIRMANCE

This is a proper person appeal from a district court order dismissing a tort action. Fifth Judicial District Court, Nye County; Robert W. Lane, Judge.

On June 11, 2007, appellant filed a civil action against respondents alleging damage to appellant's personal property from a fire that occurred on June 13, 2005. The case was dismissed without prejudice in December 2008, apparently for appellant's failure to comply with NRCP 16.1. Appellant did not appeal from the December 2008 dismissal, but instead filed the instant action based on the same claims on February 18, 2009. Before the December 2008 dismissal was entered, however, the statute of limitations ran on appellant's personal property claims. NRS 11.190(3)(c) (explaining that an action for injury to personal property must be commenced within three years from the time the action accrues).

Accordingly, the instant action was untimely, and the district court did not err by dismissing the complaint based on the statute of limitations.

Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Cherry, J.
Cherry

Saitta, J.
Saitta

Gibbons, J.
Gibbons

cc: Hon. Robert W. Lane, District Judge
David Bradley
Carl M. Joerger
Nye County Clerk