

IN THE SUPREME COURT OF THE STATE OF NEVADA

GIL GURSANSKY,
Appellant,

vs.

DONNA SCHNEIDER; ERNEST D.
ROARK, III; AND BENSON,
BERTOLDO & BAKER, CHTD.,
Respondents.

No. 55369

FILED

NOV 10 2010

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 an abuse of process matter. Eighth Judicial District Court, Clark County; Elissa F. Cadish, Judge.

Having reviewed the briefs and appendices on appeal, we affirm the district court's summary judgment. Appellant failed to set forth sufficient evidence to establish a material issue of fact to support his abuse of process claim. Wood v. Safeway, Inc., 121 Nev. 724, 729, 731, 121 P.3d 1026, 1029, 1030-31 (2005) (setting forth the requirements for summary judgment and recognizing that the nonmoving party may not rest upon general allegations and conclusions but must instead set forth, by affidavit or otherwise, specific facts demonstrating the existence of a genuine issue of material fact for trial to avoid summary judgment); LaMantia v. Redisi, 118 Nev. 27, 30, 38 P.3d 877, 879 (2002) (setting forth the elements necessary to establish an abuse of process claim). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Pickering, J.
Pickering

cc: Hon. Elissa F. Cadish, District Judge
Stanley W. Pierce
Benson, Bertoldo, Baker & Carter, Chtd./Las Vegas
Eighth District Court Clerk