

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARCIA BROUSSARD, INDIVIDUALLY
AND AS SPECIAL ADMINISTRATOR
FOR THE ESTATE OF ANDREW
BROUSSARD, DECEASED,
Appellant,
vs.
DR. EDWARD VICTORIA, M.D.; AND
IPC THE HOSPITALIST COMPANY,
INC.,
Respondents.

No. 55926

FILED

SEP 15 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *Tracie K. Lindeman*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court order dismissing appellant's complaint without prejudice in a medical malpractice action. Eighth Judicial District Court, Clark County; Valerie Adair, Judge.

Having reviewed the briefs and appendices on appeal, we affirm the district court's dismissal order. The district court properly dismissed the medical malpractice complaint without prejudice, as the complaint was filed without the necessary medical affidavit, and therefore, was void ab initio. NRS 41A.071; Washoe Med. Ctr. v. Dist. Ct., 122 Nev. 1298, 1304, 148 P.3d 790, 794 (2006). The unsworn document from appellant's expert was insufficient to meet the requirement. NRS 41A.071; NRS 53.045; Washoe Med. Ctr., 122 Nev. at 1304, 148 P.3d at 794; Buckwalter v. Dist. Ct., 126 Nev. ___, ___, 234 P.3d 920, 922 (2010). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Douglas, J.
Douglas

Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

cc: Hon. Valerie Adair, District Judge
M. Nelson Segel, Settlement Judge
Christensen Law Offices, LLC
John H. Cotton & Associates, Ltd.
Eighth District Court Clerk