

IN THE SUPREME COURT OF THE STATE OF NEVADA

JUAN E. MANZUR,
Appellant,
vs.
NEVADA STATE BOARD OF MEDICAL
EXAMINERS; AND ATTORNEY
GENERAL'S OFFICE,
Respondents.

No. 56221

FILED

AUG 30 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from a district court order denying an injunction in an administrative law licensing action. Eighth Judicial District Court, Clark County; David B. Barker, Judge.

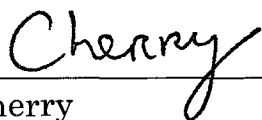
On appeal, appellant Juan E. Manzur argues that the district court erred in denying his request to enjoin an administrative decision revoking his medical license because the license was improperly revoked. This court reviews the district court's decision whether to grant a permanent injunction for an abuse of discretion. Commission on Ethics v. Hardy, 125 Nev. 285, 291, 212 P.3d 1098, 1103 (2009).

Here, respondent Nevada State Board of Medical Examiners (Board) entered a July 11, 2005, decision revoking Manzur's medical license for bringing the medical profession into disrepute, as set forth in NRS 630.301(9), after Manzur had entered a guilty plea and admitted to kidnapping his wife, to stabbing his wife with a knife, to kicking his wife with steel-toed boots, to discharging a firearm in her direction, for threatening to kill his wife if she ever reported his violent behavior, and for assaulting and inflicting mental and physical abuse on his minor sons. After Manzur in proper person had initiated, on May 9, 2010, the underlying district court proceedings, respondents filed a motion to


dismiss, arguing that injunctive relief was improper since Manzur had never petitioned for judicial review of the Board's decision, as permitted by NRS 630.356(1). Manzur filed a reply, in which he conceded that he never petitioned for judicial review, but argued that he missed the deadline for filing for such relief due to the circumstances of his incarceration.

Having reviewed Manzur's civil proper person appeal statement and the record on appeal, we conclude that Manzur improperly sought untimely judicial review of an administrative decision through his request for injunctive relief, see Baldonado v. Wynn Las Vegas, 124 Nev. 951, 965, 194 P.3d 96, 105 (2008) (disallowing declaratory and injunctive relief when there was a statutory administrative remedy); Public Service Commission v. District Court, 107 Nev. 680, 685, 818 P.2d 396, 399 (1991) (explaining that declaratory relief should not be implemented to circumvent statutory judicial review procedures), and we are not persuaded that the district court abused its discretion in determining that Manzur's request for an injunction should be denied. Hardy, 125 Nev. at 291, 212 P.3d at 1103. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Cherry


_____, J.
Gibbons


_____, J.
Pickering

cc: Hon. David B. Barker, District Judge
Juan Esber Manzur
Lyn E. Beggs
Eighth District Court Clerk