

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD ANDERSON,
Appellant,
vs.
SIERRA SURGERY HOSPITAL,
Respondent.

No. 58753

FILED

JUN 15 2012

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 appellant's complaint in a medical malpractice action. First Judicial District Court, Carson City; James Todd Russell, Judge.

Having reviewed appellant's civil proper person appeal statement and the record on appeal, we affirm the district court's order. The district court properly dismissed appellant's complaint as his claims were based on medical malpractice, did not involve res ipsa loquitor claims, and appellant failed to submit the statutorily required medical affidavit with his complaint. NRS 41A.071; NRS 41A.100; Washoe Med. Ctr. v. Dist. Ct., 122 Nev. 1298, 1302, 148 P.3d 790, 793 (2006); Perry v. Stanley, 83 S.W.3d 819, 825 (Tex. Ct. App. 2002) (holding that the requirement to file a medical affidavit with a complaint can properly be applied to inmates because they bear the burden of proof at trial, which requires expert testimony). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

[Signature], J.
Saitta

[Signature], J.
Pickering

[Signature], J.
Hardesty

cc: Hon. James Todd Russell, District Judge
Richard James Anderson
Piscevich & Fenner
Carson City Clerk