

IN THE SUPREME COURT OF THE STATE OF NEVADA

TERESA HARDER,
Appellant,
vs.
RICHARD VOCE, INDIVIDUALLY;
AND MERCY, INC., A NEVADA
CORPORATION D/B/A AMERICAN
MEDICAL RESPONSE,
Respondents.

No. 58801

FILED

AUG 02 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *T. Malone*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from a district court order granting summary judgment in a tort action. Eighth Judicial District Court, Clark County; Valerie Adair, Judge.

Appellant, through counsel, filed a complaint, asserting negligence claims against defendants following a motor vehicle accident between appellant and respondent Richard Voce. The parties filed a joint case conference report wherein appellant identified her treating physicians as witnesses who would testify about her injuries and treatment. After respondents identified their expert witnesses, appellant disclosed her treating physicians as rebuttal experts. During the underlying proceedings, appellant's first attorney withdrew and she obtained a second attorney who also later withdrew. Ultimately, respondents filed a motion for summary judgment, arguing that appellant's claims failed as a matter of law because she had not designated any experts who would testify regarding causation. Appellant,

as a proper person litigant, opposed the summary judgment motion. Following a hearing, the district court granted respondents' summary judgment motion. This appeal followed.

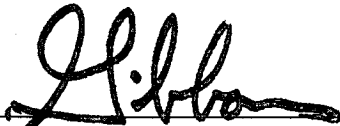
This court reviews summary judgment de novo. Wood v. Safeway, Inc., 121 Nev. 724, 729, 121 P.3d 1026, 1029 (2005). Summary judgment is appropriate if the pleadings and other evidence on file, viewed in the light most favorable to the nonmoving party, demonstrates that no genuine issue of material fact remains in dispute and that the moving party is entitled to judgment as a matter of law. Id. To withstand summary judgment, the nonmoving party cannot rely solely on general allegations and conclusions set forth in the pleadings, but must instead present specific facts demonstrating the existence of a genuine factual issue supporting his or her claims. NRCP 56(e); see also Wood, 121 Nev. at 730-31, 121 P.3d at 1030-31.

Having reviewed the district court record and considered appellant's civil proper person appeal statement, we conclude that the district court's summary judgment was appropriate. Instead of submitting any reports or documentation that created a material question of fact regarding causation of either the subject accident or appellant's purported injuries, appellant merely asserted that summary judgment was unwarranted because she was injured as a result of the accident. While appellant submitted with her opposition several medical reports that discussed some of her injuries, none of the reports addressed the cause of those injuries. As appellant failed to sustain her burden of proof in opposing the summary judgment motion, we conclude that the district

court did not err in granting respondents' summary judgment motion. See Wood, 121 Nev. at 730-31, 121 P.3d at 1030-31. Accordingly, we

ORDER the judgment of the district court AFFIRMED.¹


_____, J.
Douglas


_____, J.
Gibbons


_____, J.
Parraguirre

cc: Hon. Valerie Adair, District Judge
Teresa Harder
Jimmerson Hansen
Eighth District Court Clerk

¹Having considered appellant's remaining arguments, we conclude that they lack merit and thus do not warrant reversal.