

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVE PRATHER, AN INDIVIDUAL
TAXPAYER; AND DONALD KREVOSH,
AN INDIVIDUAL TAXPAYER,
Appellants,
vs.
MARK W. SCHOFIELD, AS AN
INDIVIDUAL AND AS TAXPAYER'S
EMPLOYEE/PUBLIC OFFICER,
Respondent.

No. 60604

FILED

DEC 14 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY R. Malone
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from a district court order dismissing appellants' complaint alleging constitutional violations regarding property taxation.¹ Eighth Judicial District Court, Clark County; Abbi Silver, Judge.

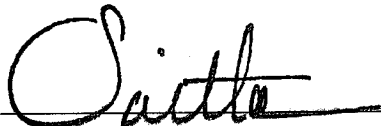
Appellants filed a complaint against respondent alleging constitutional violations with regard to property taxation. Respondent moved to dismiss the complaint on several grounds. Appellants failed to oppose the motion to dismiss, and the district court granted the motion.

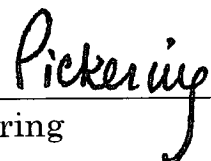
Having considered appellants' civil proper person appeal statement and the record on appeal, we conclude that the district court did not abuse its discretion by dismissing the underlying action based on appellants' failure to oppose the motion to dismiss. See EDCR 2.20(e) (providing that an opposition to a motion must be filed within ten days after service of the motion and that the district court may construe a

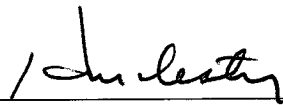
¹We direct the clerk of this court to amend the caption in this matter to conform to the caption on this order.

party's failure to oppose a motion as an admission that the motion is meritorious and a consent to granting the motion); see also Walls v. Brewster, 112 Nev. 175, 178, 912 P.2d 261, 263 (1996). Accordingly, we

ORDER the judgment of the district court AFFIRMED.²


Saitta, J.


Pickering, J.


Hardesty, J.

cc: Hon. Abbi Silver, District Judge
Dave Prather
Donald Krevosh
Clark County District Attorney/Civil Division
Eighth District Court Clerk

²Appellants attached to their civil proper person appeal statement a “motion” to “stay this action” and to seal the record in this court and in the district court. To the extent that these may be considered properly filed motions, we deny them as appellants have not set forth any argument in support of these requests. Cf. Edwards v. Emperor’s Garden Rest., 122 Nev. 317, 330 n.38, 130 P.3d 1280, 1288 n.38 (2006) (providing that this court need not consider claims that have not been cogently argued).