

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL STEVE COX,

Appellant,

vs.

E.K. MCDANIEL, WARDEN; ADAM ENDEL; D. BROOKS; C. LARGE; G. COX; J. BRACKBILL; LT. HENDRIX; C/O S. DONOHUE; CO MANNING; CO HUTCHERSON; C/O MS. BRANSKE; MR. MURPHY; DR. R. BANNISTER; CASE WORKER DRAIN; C. WILLIS; SERGEANT KIRCHEN; L. MARSHALL; S. ROUNDY; HOWARD SKOLNIK; DR. S. MACARTHUR; L. IRVIN; R. REED; AND D. W. NEVEN,

Respondents.

MICHAEL STEVE COX,

Appellant,

vs.

E.K. MCDANIEL; AWO BROOKS; AWP-ENDEL; DR. S. MACARTHUR; B. LEMICH; DR. T. D'AMICO; DR. BANNISTER; D. ROSENBERG; S. ROUNDY; R. WILLIAMS; CO TOLBERT; S. SMITH; C. TRIPP; CO BAKARIC; SGT. HOUSTON; ATTY. GEN.-GEORGE CHANOS; DEP. ATTY.-E.L. OUIELHE, III; G. WHORTON; D. MCNEELY; D. REX WINKLE; AND A.G. PERALTA,

Respondents.

No. 60056

**FILED**

JUN 14 2013

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

No. 60151

MICHAEL STEVE COX,  
Appellant,  
vs.  
DR. ROBERT BANNISTER;  
CATHERINE CORTEZ MASTO;  
GREG COX; TERRI JACOBS; LINDA  
MAESTES; AL PERALTA; REX  
REED; GREG SMITH; AND CRYSTAL  
WILLIS,  
Respondents.

No. 60637 ✓

MICHAEL STEVE COX,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 61322

#### *ORDER OF AFFIRMANCE*

These are four proper person appeals from various district court orders. The appeals are not consolidated.

In Docket No. 60056, appellant challenges a district court order dismissing his civil rights complaint without prejudice on its own motion under NRCP 16.1(e)(2) based, among other things, on appellant's failure to file a case conference report as required by NRCP 16.1(c). Having considered the appeal statement and record below, we conclude that the district court properly examined appellant's failure to comply with NRCP 16.1(c) by using the pertinent factors set forth in *Arnold v. Kip*, 123 Nev. 410, 415-16, 168 P.3d 1050, 1053-54 (2007), and that the district court did not abuse its discretion in concluding that the dismissal of appellant's complaint was warranted. Accordingly, we affirm the district court order dismissing the complaint without prejudice. NRCP 16.1(e)(2); *Arnold*, 123 Nev. at 415-16, 168 P.3d at 1053-54.


Docket No. 60151 is also an appeal from a district court order dismissing a civil rights complaint without prejudice based mainly on appellant's failure to comply with NRCP 16.1(c)'s case conference report requirement. Having considered the appeal statement and record on appeal, we conclude that the district court properly applied NRCP 16.1(e)(2), and we therefore affirm the order of dismissal. *See Arnold*, 123 Nev. at 415-16, 168 P.3d 1053-54.

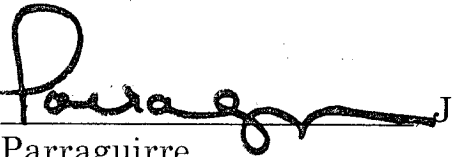
In Docket No. 60637, appellant challenges the district court's order dismissing his complaint on a variety of grounds. To the extent that the district court dismissed appellant's complaint with prejudice for failure to state a claim upon which relief can be granted, having reviewed the appeal statement and record on appeal, we discern no error in this determination. *See Buzz Stew, LLC v. City of N. Las Vegas*, 124 Nev. 224, 228, 181 P.3d 670, 672 (2008). With regard to appellant's remaining claims, the district court dismissed them without prejudice primarily for failing to comply with NRCP 16.1(c)'s case conference report requirement. Having reviewed the documents before us, we discern no abuse of discretion in the dismissal of these remaining claims on this basis. NRCP 16.1(e)(2); *Arnold*, 123 Nev. at 415-16, 168 P.3d 1053-54. Accordingly, we affirm the district court's order.

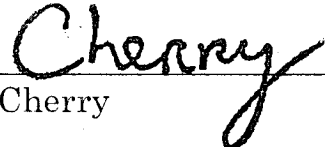
In Docket No. 61322, appellant challenges a district court's order granting summary judgment on his civil rights claims. As noted in the district court order granting summary judgment, appellant's one-page opposition to the motion for summary judgment failed to substantively respond to respondents' motion for summary judgment. *See NRCP 56(e); Wood v. Safeway, Inc.*, 121 Nev. 724, 730-31, 121 P.3d 1026, 1030-31

(2005) (holding that the nonmoving party must set forth specific facts demonstrating genuine factual issues to avoid summary judgment). In light of this failure, we necessarily affirm the district court's decision to grant summary judgment.<sup>1</sup>

It is so ORDERED.<sup>2</sup>

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Cherry

cc: Seventh Judicial District Court Dept. 2  
Hon. Jessie Elizabeth Walsh, District Judge  
Michael Steve Cox  
Attorney General/Carson City  
White Pine County Clerk  
Eighth Judicial District Court

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<sup>1</sup>We have considered appellant's other arguments in these appeals and conclude they lack merit and do not warrant reversal.

<sup>2</sup>The clerk of this court shall file appellant's request for submission, which was provisionally received on December 20, 2012, in Docket No. 60151. In light of this disposition, we deny as moot all outstanding requests for relief.