

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIE D. SAMPSON,
Appellant,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; THE HONORABLE
MICHELLE LEAVITT; CATHERINE
CORTEZ MASTO; DAVID ROGER;
BECKY GOETTSCH; SUSAN M. PATE;
ROBERT MILLER; PHILIP J. KOHN;
STACY BIGGS; LIZ GARCIA; KIT
MCDONALD; KENDALL D. HEATH;
AND CHRISTOPHER R. ORAM,
Respondents.

No. 62202

FILED

NOV 13 2014

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 dismissing a civil rights action for failure to timely serve process. First Judicial District Court, Carson City; James Todd Russell, Judge.

On appeal, appellant first challenges three district court orders entered on August 7, 2012, that dismissed appellant's claims against respondents Leavitt, Masto, the Eighth Judicial District Court, Oram, and Kohn. Specifically, appellant contends that the district court improperly granted respondents' motions to dismiss without first ruling on appellant's pending stay petition. We disagree. Because the evidence appellant sought to obtain, and the discovery he sought to conduct, would not have been relevant to addressing the arguments set forth in respondents' motions to dismiss, the district court properly denied

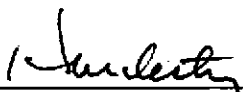
appellant's stay petition at the same time that it granted respondents' motions to dismiss.

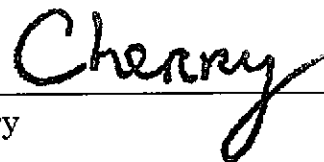
Appellant also challenges a district court order entered on November 8, 2012, that dismissed appellant's complaint with respect to respondents Roger, Goettsch, Pate, Miller, Biggs, Garcia, McDonald, and Heath. Specifically, appellant contends that the district court improperly dismissed these respondents without first ruling on appellant's motion to compel. Appellant has pointed to no authority suggesting that the district court would have been authorized to grant the relief that appellant was requesting in his motion to compel. Accordingly, we conclude that the district court properly denied the motion to compel when it entered the November 8 order. *See Bd. of Gallery of History, Inc. v. Datecs Corp.*, 116 Nev. 286, 289, 994 P.2d 1149, 1150 (2000) (noting that the district court's failure to rule on a request constitutes a denial of the request). We therefore

ORDER the judgment of the district court AFFIRMED. ¹



Gibbons C.J.


_____, J.
Hardesty


_____, J.
Cherry

¹We have considered appellant's remaining arguments and conclude that they lack merit. In light of this disposition, we deny the relief requested in appellant's September 29, 2014, filings.

cc: Hon. James Todd Russell, District Judge
Willie D. Sampson
Attorney General/Carson City
Christopher R. Oram
Carson City Clerk