

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD DAVID MORROW,  
Appellant,  
vs.  
C/O A. HARROUN; C/O ROAM; C/O M.  
SIERRA; MR. ROGELIO HERRERA,  
CCS II; MR. DWAYNE DEAL, A/AW;  
MR. ROBERT LEGRAND, WARDEN;  
AND JAMES G. COX, DIRECTOR,  
Respondents.

No. 63399

**FILED**

SEP 16 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 granting a motion to dismiss in a civil rights action. Sixth Judicial District Court, Pershing County; Richard Wagner, Judge.

This court reviews de novo a district court's order granting a motion to dismiss under NRCP 12(b)(5). *Buzz Stew, LLC v. City of N. Las Vegas*, 124 Nev. 224, 228, 181 P.3d 670, 672 (2008). Dismissal will be affirmed when the complaint's factual allegations, even when recognized as true, do not entitle the plaintiff to relief under the claims being asserted. *Id.*

Having considered appellant's proper person appeal statement and the record on appeal, we conclude that the district court properly dismissed appellant's complaint. Specifically, respondents' alleged misconduct, even if recognized as true, does not establish a violation of a constitutional right.<sup>1</sup> *Id.*; see *Sandin v. Conner*, 515 U.S. 472, 483-84

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<sup>1</sup>Appellant contends on appeal that the district court should have granted him leave to amend his complaint. Nothing in the record suggests that the district court denied such a request, and given the complaint's  
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(1995) (recognizing that a violation of a prison regulation does not necessarily amount to a violation of an inmate's constitutional rights); *Ramirez v. Galaza*, 334 F.3d 850, 860 (9th Cir. 2003) (“[I]nmates lack a separate constitutional entitlement to a specific prison grievance procedure.”). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Hardesty, J.  
Hardesty

Douglas, J.  
Douglas

Cherry, J.  
Cherry

cc: Hon. Richard Wagner, District Judge  
Richard David Morrow  
Attorney General/Carson City  
Pershing County Clerk

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*...continued*

detailed recitation of the alleged facts, it is apparent that amendment would have been futile. See *Halcrow, Inc. v. Eighth Judicial Dist. Court*, 129 Nev. \_\_\_, \_\_\_, 302 P.3d 1148, 1152 (2013) (explaining that leave to amend a complaint should be denied if the proposed amendment would be futile).