

IN THE SUPREME COURT OF THE STATE OF NEVADA

ARLENE P. HARPER,
Appellant,
vs.
DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS INDENTURE TRUSTEE
FOR NEW CENTURY HOME EQUITY
LOAN TRUST 2005-4,
Respondent.

No. 64578

FILED

MAR 12 2015

TRAGIE K. LINDEMAN
CLERK OF SUPREME COURT
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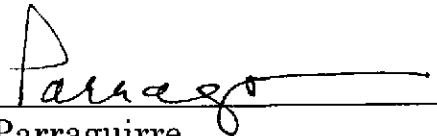
ORDER OF AFFIRMANCE

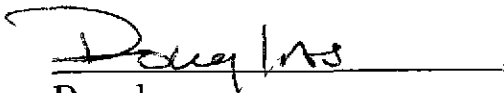
This is an appeal from a district court summary judgment in a judicial foreclosure action. Eighth Judicial District Court, Clark County; James M. Bixler, Judge.

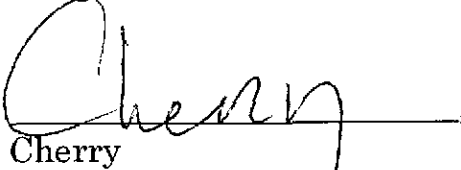
Having considered the parties' arguments and the record on appeal, we conclude that the district court properly granted summary judgment in favor of respondent. *See Wood v. Safeway, Inc.*, 121 Nev. 724, 729, 121 P.3d 1026, 1029 (2005) (reviewing de novo a district court's decision to grant summary judgment). In particular, respondent produced evidence sufficient to demonstrate that it was entitled to enforce appellant's promissory note and deed of trust. *Cuzze v. Univ. & Cmty. Coll. Sys. of Nev.*, 123 Nev. 598, 602, 172 P.3d 131, 134 (2007) (recognizing that when the party moving for summary judgment will bear the burden of persuasion on an issue, that party can show that summary judgment is proper by presenting evidence that would entitle it to a judgment as a matter of law in the absence of contrary evidence). Because appellant did not present contrary evidence to create a question of fact in this regard, the district court properly granted summary judgment. *Id.*; *Wood*, 121 Nev. at 731, 121 P.3d at 1030-31 (recognizing that, in order to make

summary judgment improper, "the non-moving party may not rest upon general allegations and conclusions, but must, by affidavit or otherwise, set forth specific facts demonstrating the existence of a genuine factual issue" (quotation omitted)). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


Parraguirre, J.


Douglas, J.


Cherry, J.

cc: Hon. James Crockett, District Judge
Law Office of Alda A. Anderson, P.C.
Wright, Finlay & Zak, LLP/Las Vegas
Eighth District Court Clerk