

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANTHONY R. BOYKIN,

No. 36016

Appellant,

vs.

ROBERT BAYER,

Respondent.

FILED

NOV 15 2000

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. P. [Signature]*
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from a summary judgment entered against appellant. Having reviewed the record, we conclude that the district court did not err in granting respondent's motion for summary judgment. Appellant failed to demonstrate that respondent violated a clearly established constitutional right. See *Wilson v. Layne*, 526 U.S. 603 (1999) (stating, in the context of an action brought under 42 U.S.C. § 1983, that a court evaluating a claim of qualified immunity must initially determine whether the plaintiff has alleged a violation of a constitutional right and whether that right was clearly established at the time of the alleged violation); see also *Ortega v. Reyna*, 114 Nev. 55, 953 P.2d. 18 (1998).

Accordingly, we affirm the district court's judgment.

Shearing

Shearing J.

Agosti

Agosti J.

Leavitt

Leavitt J.

cc: Hon. Dan L. Papez, District Judge
Attorney General
Anthony R. Boykin
White Pine County Clerk