

IN THE SUPREME COURT OF THE STATE OF NEVADA

RONALD MONROE,
Appellant,
vs.
STATE OF NEVADA, EX REL. NEVADA
DEPARTMENT OF CORRECTIONS;
C/O WOODRUFF; AND WARDEN
LEGRAND,
Respondents.

No. 65704

FILED

MAY 20 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER OF AFFIRMANCE

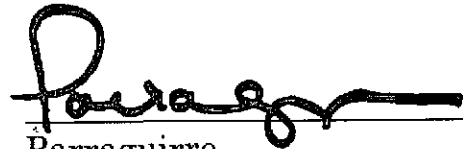
This is a pro se appeal from a district court order dismissing a civil rights and tort complaint. First Judicial District Court, Carson City; James E. Wilson, Judge.

Having considered the appeal statement and the record, we conclude that appellant's complaint was properly dismissed. *Buzz Stew, LLC v. City of N. Las Vegas*, 124 Nev. 224, 227-28, 181 P.3d 670, 672 (2008) (reviewing de novo a district court order granting an NRCP 12(b)(5) motion, and noting that in order to survive dismissal, a complaint must contain some "set of facts, which, if true, would entitle [the plaintiff] to relief"); *see Cholla Ready Mix, Inc. v. Civish*, 382 F.3d 969, 973 (9th Cir. 2004) (recognizing that a court is not required "to accept legal conclusions cast in the form of factual allegations if those conclusions cannot reasonably be drawn from the facts alleged" (internal quotation omitted)); *see also Angel v. Cruse*, 130 Nev. Adv. Op. No. 25, 321 P.3d 895, 898 (2014) (setting forth the elements necessary to establish a First Amendment retaliation claim); *Turner v. Mandalay Sports Entm't, LLC*, 124 Nev. 213, 217, 180 P.3d 1172, 1175 (2008) (setting forth the elements necessary to establish a negligence claim); *Thornton v. City of St. Helens*, 425 F.3d

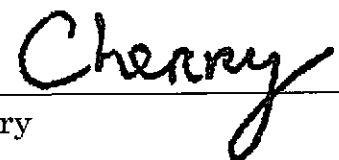
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1158, 1166-67 (9th Cir. 2005) (explaining that a plaintiff suing for racial discrimination must allege facts showing that the defendant acted with discriminatory intent or purpose); *Sprouse v. Babcock*, 870 F.2d 450, 452 (8th Cir. 1989) (filing of false disciplinary charges is not a constitutional violation unless charges were filed in retaliation for filing a grievance). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Parraguirre


_____, J.
Douglas


_____, J.
Cherry

cc: Hon. James E. Wilson, District Judge
Ronald Monroe
Attorney General/Carson City
Carson City Clerk