


IN THE SUPREME COURT OF THE STATE OF NEVADA

BOB PRESSEY,  
Appellant,  
vs.  
CHRISTIANA TRUST, A DIVISION OF  
WILMINGTON SAVINGS FUND  
SOCIETY FSB, AS TRUSTEE FOR GFT  
MORTGAGE LOAN TRUST; CLEAR  
RECON CORP; AND ALICIA  
SURGEONER,  
Respondents.

No. 65861

**FILED**

**AUG 27 2014**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER OF SUMMARY AFFIRMANCE*

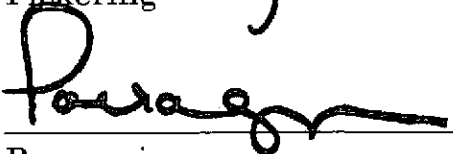
On July 24, 2014, this court ordered appellant to show cause why the order being challenged in this appeal should not be summarily affirmed, as the challenged order denied a preliminary injunction on the ground that appellant had not served respondents with the motion requesting a preliminary injunction. *See* NRCP 65(a)(1) (“No preliminary injunction shall be issued without notice to the adverse party.”). In his response, appellant indicates that, along with serving respondents with a copy of the summons and complaint, appellant also served respondents with a copy of a district court order that granted a temporary restraining order and set a hearing date for appellant’s preliminary injunction request. Appellant has not indicated whether a copy of his actual motion for a preliminary injunction was served on respondents or whether he explained to the district court at the hearing what documents were served on respondents. *See* NRCP 5 (requiring service of motions).

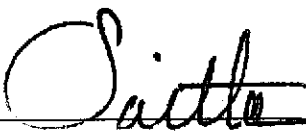
Having considered appellant’s response, we conclude that the district court’s order should be summarily affirmed and that appellate briefing is unnecessary. Specifically, it does not appear that respondents

were served with any motion to which they could have lodged an opposition. Thus, the district court was within its discretion to deny appellant's request for a preliminary injunction based on the grounds identified in its order. *Boulder Oaks Cmty. Ass'n v. B & J Andrews Enters., LLC*, 125 Nev. 397, 403, 215 P.3d 27, 31 (2009) (reviewing a district court's decision to grant or deny a preliminary injunction for an abuse of discretion); see NRCP 65(a)(1). We therefore

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, J.  
Pickering

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Saitta

cc: Hon. Jerry A. Wiese, District Judge  
Law Offices of Noggle Law PLLC  
Eighth District Court Clerk