

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DOMONIC RONALDO MALONE,
Appellant,
vs.
BETSY ALLEN, ESQ.,
Respondent.

No. 70984

FILED

SEP 07 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE

Domonic Malone appeals from a district court order dismissing a legal malpractice action. Eighth Judicial District Court, Clark County; Jerry A. Wiese, Judge.

Malone filed a complaint against respondent Betsy Allen alleging she committed malpractice in the course of representing him in a criminal action in which she was apparently appointed to file a supplemental petition regarding Malone's ineffective assistance of counsel claim. Allen subsequently moved to dismiss the complaint. Over Malone's opposition, the district court dismissed the case without prejudice, citing one of the grounds Allen argued in her motion. This appeal followed.

On appeal, Malone does not present any arguments addressing the grounds relied on by the district court to dismiss the underlying action. Therefore he has waived any such challenge. *See Powell v. Liberty Mut. Fire Ins. Co.*, 127 Nev. 156, 161 n.3, 252 P.3d 668, 672 n.3 (2011) (stating that issues not raised in appellant's opening brief are waived). As a result,

we necessarily affirm the district court's order dismissing Malone's complaint.

It is so ORDERED.

Silver, C.J.
Silver

Tao, J.
Tao

Gibbons, J.
Gibbons

cc: Hon. Jerry A. Wiese, District Judge
Domonic Ronaldo Malone
Law Office of Betsy Allen
Eighth District Court Clerk