

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CITIZEN OF THE STATE OF NEVADA
EX REL WILLIE WILLIAMS,

Appellant,

vs.

UMC OF SOUTHERN NEVADA;
DANIEL D. LEE, M.D.; NEVADA SPINE
CENTER; JASWINDER GROVER, M.D.;
NEVADA ORTHOPEDIC & SPINE
CENTER, LLP; PATRICK S. MCNULTY,
M.D.; SUNRISE HOSPITAL AND
MEDICAL CENTER; VALLEY HEALTH
SYSTEM, LLC, D/B/A CENTENNIAL
HILLS HOSPITAL MEDICAL CENTER;
DIGNITY HEALTH, D/B/A ST. ROSE
DOMINICAN HOSPITAL-SAN MARTIN
CAMPUS,
Respondents.

No. 71780

FILED

FEB 27 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Willie Williams appeals from a district court order dismissing his complaint in a professional negligence action. Eighth Judicial District Court, Clark County; Kenneth C. Cory, Judge.


Williams filed a complaint alleging professional negligence against respondents, who are various doctors and medical providers. Respondents moved to dismiss the complaint for failure to attach an affidavit of merit as required by NRS 41A.071. Williams opposed the motion, but the district court granted it and dismissed the case. This appeal followed.

NRS 41A.071 provides that, in an action for professional negligence "the district court shall dismiss the action, without prejudice, if the action is filed without an affidavit" submitted by a medical expert

supporting the allegations in the complaint and specifically identifying the allegedly negligent acts of each defendant. “A complaint that does not comply with NRS 41A.071 is void and must be dismissed; no amendment is permitted.”¹ *Washoe Med. Ctr. v. Second Judicial Dist. Court*, 122 Nev. 1298, 1304, 148 P.3d 790, 794 (2006). Here, Williams failed to attach the required affidavit in support of his complaint. As such, the complaint was void and dismissal was required pursuant to NRS 41A.071. Accordingly, we affirm the district court’s order dismissing Williams’ complaint.

It is so ORDERED.²


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

¹The court in *Washoe Medical Center* was applying a prior version of NRS 41A.071, but the language pertinent to this matter did not change and thus, the holding is applicable to the instant case.

²We have considered Williams’ September 15 and 21, 2017, filings and they do not appear to request any relief; however, to the extent they do, in light of our resolution of this matter, any such request is moot.

cc: Hon. Kenneth C. Cory, District Judge
Willie Williams
Koeller Nebeker Carlson & Haluck, LLP/Las Vegas
Alverson Taylor Mortensen & Sanders
Hall Prangle & Schoonveld, LLC/Las Vegas
John H. Cotton & Associates, Ltd.
Mandelbaum, Ellerton & Associates
Eighth District Court Clerk