

IN THE SUPREME COURT OF THE STATE OF NEVADA

TERRY GENE BROWN,
Appellant,
vs.
JAMES DZURENDA; TITO
BUENOCAMINO; DR. ROMERO
ARANAS; DR. GEORGE LEAKS;
JAMILA TORRES; GEORGE PELE
TAINO; BOB FAULKNER; AND THE
STATE OF NEVADA,
Respondents.

TERRY GENE BROWN,
Appellant,
vs.
JAMES DZURENDA; TITO
BUENOCAMINO; DR. ROMERO
ARANAS; DR. GEORGE LEAKS;
JAMILA TORRES; GEORGE PELE
TAINO; BOB FAULKNER; AND THE
STATE OF NEVADA,
Respondents.

No. 77013

FILED

JAN 02 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

No. 77349 ✓

*ORDER ADMINISTRATIVELY CLOSING DOCKET NO. 77349 AND
TRANSFERRING DOCUMENTS, AND REGARDING PRO BONO
COUNSEL*

Both these appeals are from the district court's October 5, 2018, findings of fact and conclusions of law granting summary judgment in favor of respondents on appellant's claims. In the interests of judicial efficiency, we direct the clerk of this court to administratively close Docket No. 77349, and transfer to Docket No. 77013 all documents filed in Docket No. 77349; the appeal shall proceed through Docket No. 77013.

Having considered the documents transmitted by the district court and appellant's informal opening brief, this court has determined that the appointment of pro bono counsel to represent appellant would assist this

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court in reviewing this appeal. By this order, the court expresses no opinion as to the merits of this appeal.

Pro bono counsel is an attorney who provides legal services without charge for the benefit of the public good. The appointment of pro bono counsel provides attorneys with an opportunity to volunteer legal services in furtherance of their professional responsibility and, at the same time, allows financially eligible litigants access to quality legal representation without cost. Counsel will be appointed for purposes of this appeal only and will participate in oral argument. Currently, the Pro Bono Committee of the Appellate Litigation Section of the State Bar of Nevada (Pro Bono Committee), in conjunction with the Legal Aid Center of Southern Nevada, has developed a pro bono appellate program to assist the public and this court. This case is hereby referred to the program established by the Pro Bono Committee to evaluate whether appellant can benefit from the program.

Accordingly, we direct the clerk of this court to transmit a copy of this order and the attached case summary to the Legal Aid Center of Southern Nevada for financial eligibility screening. If appellant qualifies and does not object to pro bono counsel, the Legal Aid Center in cooperation with the Pro Bono Committee shall locate a volunteer attorney from the program to represent appellant. Once an attorney is located, the attorney shall file a notice of appearance in this court within 60 days from the date of this order. Briefing and oral argument will be scheduled thereafter. Alternatively, if appellant is not financially eligible or objects to pro bono representation, or if a volunteer attorney cannot be located, the Legal Aid Center of Southern Nevada shall notify this court in writing within 60 days from the date of this order. In such case, oral argument will not be held.

The briefing schedule in this appeal shall be suspended pending further order of this court.

It is so ORDERED.¹

Cherry, A.C.J.

cc: Terry Gene Brown
Attorney General/Carson City
Legal Aid Center of Southern Nevada, Barbara E. Buckley,
Executive Director
Anne R. Traum, Coordinator, Appellate Litigation Section,
Pro Bono Committee, State Bar of Nevada
Kelly Dove

¹Appellant has filed a transcript request form pursuant to NRAP 9(b). We decline to order the preparation of the requested transcripts at this time. See NRAP 9(b)(1)(C).

Docket No. 77013, 77349

Brown v. Dzurenda

Appellant is an inmate at High Desert State Prison. He suffers from glaucoma and needs medical treatment. He claims that although he received treatment prior to his transfer to HDSP, once he arrived at HDSP, he no longer received his medications and he was unable to access the necessary medical care, leading to a need for laser surgery. He filed a complaint alleging violation of the Eighth Amendment on the ground that respondents were deliberately indifferent to his medical needs. Appellant alleged specifically that respondents violated his Eighth Amendment right to medical care by: 1) neglecting to review his medical file; 2) failing to provide adequate medical staff at High Desert State Prison to address Plaintiffs medical needs in a timely manner; 3) failing to employ adequate medical eye care staff at High Desert State Prison to treat his medical conditions; and 4) that even after he informed respondents about his serious medical needs they failed to provided him with adequate treatment. The district court entered findings of fact and conclusions of law rejecting appellant's claims. Appellant asserts in his informal brief that he was improperly denied the opportunity to conduct adequate discovery.