


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JOHN ELVIN TURNER,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 78391-COA

FILED

MAR 18 2001

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

ORDER OF AFFIRMANCE

John Elvin Turner appeals from a district court order dismissing a civil rights complaint. Eighth Judicial District Court, Clark County; Kerry Louise Earley, Judge.

Turner filed a civil rights complaint against various defendants, including respondent, the State of Nevada, regarding a property loss he sustained while in custody. The State moved to dismiss on various grounds and the motion was granted over Turner's opposition on all bases except for the service ground, which the court deemed waived. This appeal followed.

On appeal, Turner argues only that service of the complaint was proper. But as noted above, the district court declined to dismiss the case on that basis. And because Turner fails to present any argument challenging the bases actually relied upon by the district court in granting dismissal, 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). Accordingly,  
we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Bulla

cc: Hon. Kerry Louise Earley, District Judge  
John Elvin Turner  
Attorney General/Carson City  
Clark County District Attorney  
Attorney General/Las Vegas  
Eighth District Court Clerk