

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

SAID ELMAJZOUN,
Appellant,
vs.
THE STATE OF NEVADA; THE STATE
OF NEVADA DEPARTMENT OF
CORRECTIONS; JAMES DZURENDA;
BRIAN WILLIAMS; AND JENNIFFER
NASH,
Respondents.

No. 78924-COA

FILED
MAR 30 2000
ELIZABETH M. WALKER
CLERK OF APPEALS COURT
BY *[Signature]*
DEPUTY CLERK


ORDER OF AFFIRMANCE

Said Elmajzoub appeals from a district court order dismissing a civil rights complaint. Eighth Judicial District Court, Clark County; Timothy C. Williams, Judge.

Elmajzoub filed a complaint against respondents the State of Nevada, the Nevada Department of Corrections, James Dzurenda, Brian Williams, and Jennifer Nash alleging violations of the First, Fifth, and Fourteenth Amendments based on allegations mainly related to a change in the grievance procedure that limits inmates to filing one grievance per week. Respondents filed a motion to dismiss alleging Elmajzoub failed to state a claim upon which relief can be granted because inmates are not entitled to any particular grievance procedure. They also argued that the State and the individuals sued in their official capacities were not persons within the meaning of 42 U.S.C. § 1983 and therefore a Section 1983 claim could not be maintained against them. Lastly, they argued they were entitled to qualified immunity. Over Elmajzoub's opposition, the district court granted the motion on all of these bases. This appeal followed.

On appeal, Elmajzoub fails to provide any argument challenging the dismissal based upon qualified immunity or the dismissal of the claims against the State and certain individuals sued in their official capacities on the basis that a section 1983 claim could not be maintained against them. He has therefore waived any such arguments. *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). And with regard to the remaining grounds on which the district court dismissed the underlying action, while Elmajzoub makes some brief assertions regarding these points in his informal brief, he fails to develop and provide any cogent argument regarding the propriety of the dismissal of his case on these bases. As a result, we need not address these issues. *See Edwards v. Emperor's Garden Rest.*, 122 Nev. 317, 330 n.38, 130 P.3d 1280, 1288 n.38 (2006) (declining to consider issues that are not supported by cogent argument). In light of the foregoing, we necessarily

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Timothy C. Williams, District Judge
Said Elmajzoub
Attorney General/Carson City
Attorney General/Las Vegas
Eighth District Court Clerk