

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

THOMAS WALKER, AN INDIVIDUAL,  
Appellant,  
vs.  
FLOYD WAYNE GRIMES; WBG  
TRUST; ELIZABETH GRIMES;  
VICTORIA JEAN HALSEY; JALEE  
ARNONE; AND PETER ARNONE,  
Respondents.

No. 83284-COA

FILED

MAR 29 2022

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
CHIEF DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Thomas Walker appeals from a final judgment on a jury verdict in a contract and real property matter. Eighth Judicial District Court, Clark County; Joanna Kishner, Judge.

Walker initiated the underlying action against respondents, setting forth numerous causes of action in connection with his alleged purchase of real property and a mobile home located thereon. In relevant part, Walker sought damages and a judgment quieting title to the property in his favor. All of the respondents answered Walker's complaint, and respondents Floyd Wayne Grimes and Jalee Arnone filed counterclaims, in which they primarily sought to remove Walker from the premises. The matter ultimately proceeded to a jury trial, following which the district court entered a judgment on the jury verdict providing that Walker did not prevail on any of the claims asserted in his complaint, declaring that Arnone is the current owner of the property, and granting an injunction in favor of Arnone removing Walker therefrom. This appeal followed.

At the outset, we note that Walker fails to develop any of the cursory arguments set forth in his appellate briefing. Although Walker is proceeding in pro se and was therefore entitled to file the informal brief form provided by the supreme court clerk under NRAP 28(k), and although

22-09720

that form does not require pro se appellants to cite legal authority or the district court record, it nevertheless provides that appellants using the form must “[e]xplain *why* [they] believe the district court was wrong” and “state what action [they] want the [appellate court] to take.” (Emphasis added.) And Walker largely fails to adhere to these instructions in his informal brief; instead, he simply lists various decisions the district court made that he believes were wrong. Despite the fact that Walker is not represented by counsel, he nevertheless has a responsibility to cogently explain to this court why he believes he is entitled to relief, see *Edwards v. Emperor’s Garden Rest.*, 122 Nev. 317, 318, 330 n.38, 130 P.3d 1280, 1282, 1288 n.38 (2006) (providing—in a case where the appellant was unrepresented—that the appellate courts need not consider claims unsupported by cogent argument), but he largely fails to do so.

Even considering each of Walker’s contentions, we discern no reversible error or abuse of discretion in the district court’s decisions. Walker first contends the district court erred by failing to consider the history of the underlying dispute in justice court. The only explanation he provides in support is that the district court determined that the justice court minutes were merely hearsay and a summary of the proceedings by the court clerk. But it is well settled that a minute order is legally “ineffective for any purpose.” *Rust v. Clark Cty. Sch. Dist.*, 103 Nev. 686, 689, 747 P.2d 1380, 1382 (1987). We therefore discern no abuse of discretion on this point. See *FGA, Inc. v. Giglio*, 128 Nev. 271, 283, 278 P.3d 490, 497 (2012) (“We review a district court’s evidentiary rulings for an abuse of discretion.”).

Next, Walker contends the district court erred by granting a temporary writ of restitution and requiring Walker to pay rent while he remained in the property during the pendency of the action without reviewing the evidence he submitted in support of his claimed ownership of

the property. But the record does not indicate that the district court failed to review Walker's proffered evidence; instead, in its order granting the temporary writ, the district court found that Walker failed to produce *admissible* evidence in support of his claim of ownership. Moreover, even if we disregard Walker's failure to explain why he believes that determination was incorrect and assume that it was, he further fails to explain why he believes reversal is warranted on this ground even though the ultimate judgment on the jury verdict confirmed he did not own the property. See *Khoury v. Seastrand*, 132 Nev. 520, 539, 377 P.3d 81, 94 (2016) ("To be reversible, an error must be prejudicial and not harmless."); cf. NRC 61 ("At every stage of the proceeding, the court must disregard all errors and defects that do not affect any party's substantial rights."). Walker therefore fails to demonstrate that reversal is warranted on this point.

Finally, Walker takes issue with a motion in limine the district court granted precluding him from introducing a document he contends was crucial to his claim of ownership. He first argues that the district court erred in granting the motion because respondents supposedly failed to timely file it. But respondents filed the motion on January 21, 2020, which was the deadline set by the district court in its scheduling order for filing motions in limine.<sup>1</sup> Walker further argues that the district court erred by prohibiting him from introducing the document into evidence in light of his failure to produce it for inspection during discovery. But failing to produce a document for inspection or otherwise respond to such a request is a proper ground for prohibiting the nonresponsive party from producing the document in evidence, see NRC 37(b)(1)(B), (d)(1)(A)(ii), and Walker fails

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<sup>1</sup>In fact, as correctly noted by the district court, it was Walker who failed to timely oppose the motion by not filing his opposition until February 25, 2020. See EDCR 2.20(e) (requiring a party opposing a motion to file the opposition within 14 days after service of the motion).

to explain how the district court erred or abused its discretion in doing so.<sup>2</sup> *See Foster v. Dingwall*, 126 Nev. 56, 65, 227 P.3d 1042, 1048 (2010) (providing that a district court's decision to impose discovery sanctions is generally reviewed for an abuse of discretion).

Given the foregoing, Walker fails to demonstrate that reversal is warranted, and we therefore

ORDER the judgment of the district court AFFIRMED.

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

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

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

cc: Hon. Joanna Kishner, District Judge  
Thomas Walker  
The Urban Law Firm  
Eighth District Court Clerk

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<sup>2</sup>Although it is not necessary to our disposition, we note that Walker fails to explain how the outcome of this case would have been different if the document had been admitted—i.e., he fails to explain how the document was sufficient to overcome respondents' statute-of-frauds defense—and he therefore fails to demonstrate he was prejudiced by any error on this point. *See Khoury*, 132 Nev. at 539, 377 P.3d at 94.