

IN THE SUPREME COURT OF THE STATE OF NEVADA

ZANE MICHAEL FLOYD,
Appellant,
vs.
THE STATE OF NEVADA
DEPARTMENT OF CORRECTIONS;
CHARLES DANIELS, DIRECTOR,
NEVADA DEPARTMENT OF
CORRECTIONS; AND IHSAN AZZAM,
CHIEF MEDICAL OFFICER OF THE
STATE OF NEVADA,
Respondents.

No. 83181

FILED

APR 21 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order refusing to grant a preliminary injunction. Eighth Judicial District Court, Clark County; Adriana Escobar, Judge. Appellant Zane Michael Floyd argues that the district court incorrectly applied the appropriate legal standard in denying relief.¹

Respondents argue that this appeal should be dismissed as moot, as the district court denied the relief Floyd sought in dismissing his complaint for injunctive relief. We agree that this appeal is moot. See *Grupo Mexicano de Desarrollo S.A. v. All. Bond Fund, Inc.*, 527 U.S. 308, 314 (1999) (“Generally, an appeal from the grant of a preliminary injunction

¹Floyd also requested a temporary restraining order below, though he does not argue this matter on appeal, and we need not address it. See *Sicor, Inc. v. Sacks*, 127 Nev. 896, 900, 266 P.3d 618, 620 (2011) (observing that a temporary restraining order is not appealable).

Pursuant to NRAP 34(f)(1), we have determined that oral argument is not warranted in this appeal.

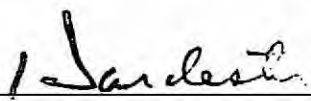
becomes moot when the trial court enters a permanent injunction, because the former merges into the latter.”); *Manzonie v. State ex rel. De Ricco*, 81 Nev. 53, 55, 398 P.2d 694, 695 (1965) (“[I]n view of the dismissal of the complaint, the existence of which is necessary to permit the granting of an injunction, the question of the propriety of an injunction became moot.”).

Floyd argues that the appeal should nevertheless be entertained as the issues it raises are capable of repetition, yet evading review. *Cf. Univ. & Cmty. Coll. Sys. of Nev. v. Nevadans for Sound Gov’t*, 120 Nev. 712, 720, 100 P.3d 179, 186 (2004) (“Even when an appeal is moot, however, this court may consider it when the matter is capable of repetition, yet evading review.”). We disagree. Floyd’s claims are well-suited for review in the appeal from the district court’s order dismissing the complaint for injunctive relief, currently pending under Docket No. 84081.

Accordingly, we

ORDER this appeal DISMISSED.


Parraguirre


Hardesty, J.


Stiglich, J.


Cadish, J.


Silver, J.


Pickering, J.


Herndon, J.

cc: Hon. Adriana Escobar, District Judge
Federal Public Defender/Las Vegas
Attorney General/Carson City
Clark Hill PLC
Attorney General/Las Vegas
Eighth District Court Clerk