

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

STEVEN C. DAVIS,
Appellant,

vs.

WILLIAM JOB LEAVITT, JR.; JOHN
BIRCH SOCIETY; NEVADA STATE
BANK; BRET HOLMES; ADVANCED
MANAGEMENT GROUP LLC; AND
RACQUEL PEREZ,
Respondents.

No. 83182-COA

FILED

JUN 17 2022

ELIZABETH S. BROWN
CLERK OF THE COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Steven C. Davis appeals from orders of the district court dismissing a complaint in a contract action. Eighth Judicial District Court, Clark County; Susan Johnson, Judge.

Davis filed a first amended complaint for breach of contract, breach of implied covenant of good faith and fair dealing, and unjust enrichment against respondents Advanced Management Group LLC (AMG), Bret Holmes, Racquel Perez, William Job Leavitt, Jr., the John Birch Society (JBS), and Nevada State Bank (NSB). Davis alleged that respondents had breached agreements with him through “banking embezzlement, Leavitt fraud, and [l]andlord/tenant violations” and that respondents had worked in concert to defame him and to cause him physical and monetary harm.

Respondents filed motions to dismiss arguing, among other things, that Davis had failed to state a claim upon which relief may be

granted.¹ The district court granted each motion to dismiss, and Davis filed motions for reconsideration of the orders granting AMG respondents' and Leavitt's motions, which the district court denied. Davis now appeals the district court's orders granting respondents' motions to dismiss.

We review de novo a decision to dismiss a complaint for failure to state a claim upon which relief can be granted. *See Buzz Stew, LLC v. City of N. Las Vegas*, 124 Nev. 224, 227-28, 181 P.3d 670, 672 (2008). We review a district court's decision to grant or deny a motion for reconsideration for an abuse of discretion. *AA Primo Builders, LLC v. Washington*, 126 Nev. 578, 589, 245 P.3d 1190, 1197 (2010).

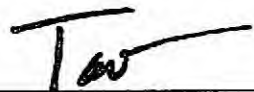
In his informal brief on appeal, Davis appears to assert he is entitled to relief because respondents and others have retaliated against him for exposing alleged illicit political activity. Davis's claims do not cogently argue why the district court erred in granting respondents' motions to dismiss. *See Edwards v. Emperor's Garden Rest.*, 122 Nev. 317, 330 n.38, 130 P.3d 1280, 1288 n.38 (2006) (holding that the court need not consider claims that are not cogently argued). Because Davis fails to address the legal grounds relied upon by the district court, he fails to demonstrate the district court erred in granting respondents' motions to dismiss or that the district court abused its discretion in denying his motions for reconsideration. *See Powell v. Liberty Mut. Fire Ins. Co.*, 127 Nev. 156, 161 n.3, 252 P.3d 668, 672 n.3 (2011) ("Issues not raised in an appellant's

¹AMG, Holmes, and Perez (collectively, AMG respondents) filed their motion together. AMG respondents also argued that Davis had sued the wrong parties and that Davis had released his claims pursuant to a previous agreement. Davis did not timely oppose AMG respondents' or Leavitt's motions. JBS also argued that the district court lacked personal jurisdiction.

opening brief are deemed waived.”); *see also Hillis v. Heineman*, 626 F.3d 1014, 1019 n.1 (9th Cir. 2010) (affirming a dismissal where the appellants failed to challenge an alternative ground that the district court relied on for dismissal). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Susan Johnson, District Judge
Steven C. Davis
Benjamin B. Childs
O'Mara Law Firm, P.C.
Naylor & Braster
Bailey Kennedy
Eighth District Court Clerk