


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CEDRIC GREENE,
Appellant,
vs.
ANGELES-IPA, A MEDICAL
CORPORATION,
Respondent.

No. 87256-COA

FILED

MAY 30 2024

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

ORDER OF AFFIRMANCE

Cedric Greene appeals from a district court order dismissing a tort action for lack of personal jurisdiction. Eighth Judicial District Court, Clark County; Maria A. Gall, Judge.

Greene, a California resident, filed the underlying tort action in the Eighth Judicial District Court against respondent Angeles-IPA, A Medical Corporation, seeking \$80,000 in damages for Angeles-IPA's alleged failure to issue him a referral. Angeles-IPA subsequently moved to dismiss the action, arguing—among other things—that it is a California corporation and that personal jurisdiction over it did not exist in the Nevada district courts. Greene failed to file an opposition and the district court subsequently granted the motion to dismiss. This appeal followed.

We review a district court's resolution of personal jurisdiction issues de novo. *See Baker v. Eighth Jud. Dist. Ct.*, 116 Nev. 527, 531, 999 P.2d 1020, 1023 (2000). “[A] nonresident defendant must have sufficient minimum contacts with the forum state so that subjecting the defendant to the state's jurisdiction will not offend traditional notions of fair play and substantial justice.” *Fulbright & Jaworski LLP v. Eighth Jud. Dist. Ct.*, 131 Nev. 30, 36, 342 P.3d 997, 1001 (2015) (internal quotation marks).

When a defendant challenges personal jurisdiction, the plaintiff must introduce evidence to make a prima facie showing that personal jurisdiction exists. *Trump v. Eighth Jud. Dist. Ct.*, 109 Nev. 687, 692-93, 857 P.2d 740, 743-44 (1993).

In granting the motion to dismiss, the district court found that Greene failed to oppose the motion, which it treated as a consent that the motion was meritorious under EDCR 2.20(e). The court further found that Angeles-IPA is a California corporation and that Greene alleged no facts to support the exercise of personal jurisdiction over Angeles-IPA. In particular, the court found Greene did not allege Angeles-IPA conducted any business in Nevada or that the transactions or occurrences forming the basis of his claims occurred in the state.

On appeal, Greene does not challenge the district court's finding that Angeles-IPA was a California corporation or present any argument that Angeles-IPA had contacts with Nevada that would allow the district court to exercise personal jurisdiction over it. Indeed, in his informal brief, Greene fails to even acknowledge, much less address, the court's findings on these points. As a result, Greene has waived any challenge to the findings and conclusions underpinning the district court's determination that it lacked personal jurisdiction over Angeles-IPA. *See Powell v. Liberty Mut. Fire Ins. Co.*, 127 Nev. 156, 161 n.3, 252 P.3d 668, 672 n.3 (2011) (providing that "[i]ssues not raised in an appellant's opening brief are deemed waived"). Moreover, given Greene's failure to oppose Angeles-IPA's challenge to personal jurisdiction below, even if he had addressed these points on appeal, he cannot demonstrate that he made a prima facie showing that personal jurisdiction over Angeles-IPA was proper. *See Trump*, 109 Nev. at 692-93, 857 P.2d at 743-44; *see also Old Aztec Mine, Inc.*

v. Brown, 97 Nev. 49, 52, 623 P.2d 981, 983 (1981) (“A point not urged in the trial court . . . is deemed to have been waived and will not be considered on appeal.”).

Under the circumstances set forth above, we cannot conclude that the district court erred in dismissing Greene’s case for lack of personal jurisdiction. *See Baker*, 116 Nev. at 531, 999 P.2d at 1023. Accordingly, we affirm the district court’s dismissal of Greene’s complaint.¹

It is so ORDERED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Maria A. Gall, District Judge
Cedric Greene
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas
Eighth District Court Clerk

¹Insofar as Greene raises arguments that are not specifically addressed in this order, we have considered the same and conclude that they do not present a basis for relief.