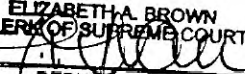


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CEDRIC GREENE,
Appellant,
vs.
LA CARE HEALTH PLAN,
Respondent.

No. 87840-COA

FILED
AUG 16 2024
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Cedric Greene appeals from a district court order denying a motion to change the place of trial. Eighth Judicial District Court, Clark County; Jessica K. Peterson, Judge.

Greene filed the underlying action against respondent LA Care Health Plan because it apparently declined to explain why it had the wrong address on file for him. He also asserts LA Care Health Plan committed “another tort” involving a delay in ordering him a new health insurance card. Based on these claims, Greene sought \$80,000 in damages.

Greene subsequently submitted an expedited motion to change the place of trial. Specifically, Greene sought a venue change under NRS 13.050(2) in order to have his case transferred from the Eighth Judicial District Court to either the First or Second Judicial Districts. In support of his motion, Greene alleged that he received bad customer service from the court, that the processing of his submissions was delayed, and that he was unable to get his questions answered. He further complained about an incident during a Zoom hearing—ostensibly in another case—where Greene

apparently “couldn’t appear in an impartial manner” due to the court’s delayed processing of his submissions. Based on these assertions, Greene contends he is not being treated fairly and that he cannot have an impartial trial in the Eighth Judicial District Court.

The district court later entered an order denying the motion to change the place of trial. In so doing, the court found that Greene had repeatedly attempted to submit documents by e-mail, despite being informed that it was not proper, and that he needed to submit filings either by mail or through the court’s e-filing system. The court further noted that filings made by mail are processed in the order they are received. The court went on to find that Greene failed to submit a memorandum of points and authorities in support of his request, and that even if the court considered his filing in “the broadest possible sense” his allegations do not set forth anything that would make it appropriate to change the place of trial under NRS 13.050(2)(b). The court further noted that Greene had failed to serve either the motion or his complaint on LA Care Health Plan. Following the entry of the order denying Greene’s motion to change the place of trial, this appeal followed.

We will not overturn a district court’s denial of a motion to change the place of trial “absent a manifest abuse of discretion.” *Sicor, Inc. v. Hutchison*, 127 Nev. 904, 911, 266 P.3d 608, 613 (2011).

In arguing that his motion to change venue should have been granted, Greene offers only vague assertions regarding alleged processing delays, the court’s handling of mail, and its alleged refusal to work with him. But Greene fails to provide any specific explanation regarding these

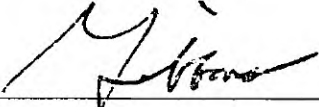
alleged incidents or illustrate how these events demonstrate that he will be unable to receive an impartial trial in the Eighth Judicial District Court. See *Edwards v. Emperor's Garden Rest.*, 122 Nev. 317, 330 n.38, 130 P.3d 1280, 1288 n.38 (2006) (holding that the court need not consider claims that are not cogently argued).


Moreover, to the extent Greene's intent is to suggest that these alleged incidents somehow demonstrate bias against him in the Eighth Judicial District, such that a change of venue should have been granted, this argument does not provide a basis for relief. Cf. *Canarelli v. Eighth Jud. Dist. Ct.*, 138 Nev. 104, 107, 506 P.3d 334, 337 (2022) (explaining that unless an alleged bias has its origins in an extrajudicial source, disqualification is unwarranted absent a showing that the judge formed an opinion based on facts introduced during official judicial proceedings and which reflects deep-seated favoritism or antagonism that would render fair judgment impossible); *In re Petition to Recall Dunleavy*, 104 Nev. 784, 789, 769 P.2d 1271, 1275 (1988) (providing that rulings made during official judicial proceedings generally "do not establish legally cognizable grounds for disqualification"); *Rivero v. Rivero*, 125 Nev. 410, 439, 216 P.3d 213, 233 (2009) (stating that the burden is on the party asserting bias to establish sufficient factual grounds for disqualification), *overruled on other grounds by Romano v. Romano*, 138 Nev. 1, 6, 501 P.3d 980, 984 (2022), *abrogated in part on other grounds by Killebrew v. State ex rel. Donohue*, 139 Nev., Adv. Op. 43, 535 P.3d 1167, 1171 (2023).

Accordingly, we cannot conclude that the district court manifestly abused its discretion in denying Greene's motion to change the

place of trial, *Sicor*, 127 Nev. at 911, 266 P.3d at 613, and we therefore affirm the district court's decision.

It is so ORDERED.¹


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Jessica K. Peterson, District Judge
Cedric Greene
LA Care Health Plan
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.