

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CEDRIC GREENE,
Appellant,
vs.
FIRST TO SERVE INC.,
Respondent.

No. 87564-COA

FILED

SEP 20 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. Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.

Greene initiated the underlying tort action against First to Serve, Inc. (FTS) seeking \$200,000 in damages after he was allegedly removed from a homeless shelter 'after getting into an altercation with another resident at the shelter. After the complaint was filed, Greene submitted various filings, including a motion to allow service of the complaint through alternate means and a motion to change the place of trial. Following the submission of these filings, the district court issued an order directing Greene to appear and show cause why this case should not be dismissed on jurisdiction grounds. The order noted that, if Greene failed to appear or otherwise show cause why his case should proceed, the action was subject to dismissal at the time of the hearing.

Greene did not file a response to the show cause order or appear at the show cause hearing. Thereafter, the district court dismissed Greene's case. In so doing, the court noted that, when presented with an opportunity to demonstrate why he believed this matter should not be dismissed, Greene failed to appear and present arguments in support of the court's exercise of jurisdiction over his case. As a result, the district court determined that it lacked jurisdiction over the case and dismissed the matter with prejudice on that basis.¹ This appeal followed.

We review a district court's resolution of issues pertaining to its exercise of jurisdiction over a case or a party de novo. *See Ogawa v. Ogawa*, 125 Nev. 660, 667, 221 P.3d 699, 704 (2009); *Baker v. Eighth Jud. Dist. Ct.*, 116 Nev. 527, 531, 999 P.2d 1020, 1023 (2000).

On appeal, Greene fails to address the jurisdictional grounds on which the district court dismissed his case, and he thus offers no argument or explanation as to why he believes the Nevada district court had jurisdiction over this matter. As a result, Greene has waived any such argument. *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"). Accordingly, we affirm the

¹In dismissing the case, the district court noted that Greene's motions for alternative service and change of venue had previously been denied.

district court's determination that it lacked jurisdiction and its dismissal of Greene's case on that basis.²

It is so ORDERED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Kathleen E. Delaney, District Judge
Cedric Greene
First to Serve Inc.
Eighth District Court Clerk

²Insofar 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.