

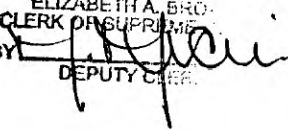
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CEDRIC GREENE,
Appellant,
vs.
GARLAND COUNTY ARKANSAS,
Respondent.

No. 88786-COA

FILED

JAN 15 2025

ELIZABETH A. BRD
CLERK OF SUPREME
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Cedric Greene appeals from a district court order denying a motion to change the place of trial. First Judicial District Court, Carson City; James Todd Russell, Judge.

Greene filed the underlying action against respondent Garland County Arkansas in the First Judicial District Court. After Greene filed various motions, all of which were denied, he eventually filed a motion seeking a change of venue. Greene's motion, which generally cited to NRS 13.050, asserted that a venue change was needed because he had been declared a vexatious litigant in the First Judicial District and had been told not to file anything further in that court. Greene further cited his objections to the court's handling of various other issues he had presented to it in other cases as grounds for granting him a change of venue.

The district court subsequently denied Greene's motion, noting that, because the defendant is an Arkansas county, and the events detailed in the complaint occurred in Arkansas "no county in the State of Nevada is a proper county for venue of [Greene's] case." The district court went on to find that, while Greene cites the vexatious litigant order as a reason for a venue change, "this is not a basis to transfer [the case] to another court in

Nevada without jurisdiction to hear the matter.” As a result, the court denied the motion while also noting that Greene is free to voluntarily dismiss his complaint without prejudice. 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. Hutchinson*, 127 Nev. 904, 911, 266 P.3d 608, 613 (2011).

While Greene’s underlying motion is somewhat unclear, the gravamen of his request seems to be that he should be granted a venue change as he cannot obtain an impartial trial in the First Judicial District Court because the court is biased against him. *See* NRS 13.050(2)(b) (allowing a court to change the place of trial “[w]hen there is reason to believe that an impartial proceeding cannot be had” in the judicial district). To support his position, Greene points to the fact he was declared a vexatious litigant in the First Judicial District and instructed not to make additional filings in that district absent permission and various district court rulings in other matters that he is dissatisfied with. But such an argument does not provide a basis for relief under the circumstances presented here. *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).

Under these circumstances, 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. Accordingly, we affirm the district court's decision.

It is so ORDERED.


_____, C.J.
Bulla


_____, J.
Gibbons


_____, J.
Westbrook

cc: First Judicial District Court, Department One
Cedric Greene
Garland County Arkansas
Carson City Clerk