

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JORDAN ZITO,
Appellant,
vs.
RYAN SULLIVAN,
Respondent.

No. 88877-COA

FILED

NOV 20 2025

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER OF AFFIRMANCE

Jordan Zito appeals from a district court order granting a motion to dismiss in a civil action. Second Judicial District Court, Washoe County; Kathleen A. Sigurdson, Judge.

In the underlying proceeding, Zito sued respondent Ryan Sullivan but did not file a formal complaint against her. Sullivan eventually moved to dismiss the case pursuant to NRCP 12(b)(5). In her motion, Sullivan argued that Zito failed to state a claim for which relief could be granted and that, regardless, she was entitled to judicial immunity. Although Zito opposed the motion, he did not acknowledge his failure to file a complaint or otherwise seek leave to rectify that deficiency. Instead, Zito asserted that Sullivan and various other individuals and entities committed an assortment of improprieties against him.

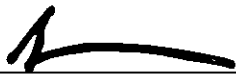
The district court then entered an order granting Sullivan's motion to dismiss, finding that Zito failed to file a formal complaint in this case, and thus, he did not provide Sullivan with adequate notice of a claim against her. *See W. States Constr., Inc. v. Michoff*, 108 Nev. 931, 936, 840

P.2d 1220, 1223 (1992) (explaining that to satisfy Nevada’s notice pleading standard, a complaint must set forth “sufficient facts to demonstrate the necessary elements of a claim for relief so that the defending party has adequate notice of the nature of the claim and relief sought”); *Dröge v. AAAA Two Star Towing, Inc.*, 136 Nev. 291, 308, 486 P.3d, 862, 878 (2020) (discussing Nevada’s liberal notice pleading standard). Alternatively, the district court observed that the present case may relate to a separate family court action but found that even if the court relied on the complaint from that action, dismissal was warranted because the pleading did not name Sullivan as a defendant or otherwise state a claim against her for which relief could be granted. This appeal followed.

On appeal, Zito argues that his rights have been violated for various reasons, seemingly in connection with prior judicial proceedings with which he was involved. However, Zito does not acknowledge that he failed to file a formal complaint in the underlying proceeding, *see* NRCP 3 (“A civil action is commenced by filing a complaint with the court.”), nor does he present any cogent argument to challenge the propriety of the district court dismissing his case for failure to state a claim under these circumstances, *see Powell v. Liberty Mut. Fire Ins. Co.*, 127 Nev. 156, 161 n.3, 252 P.3d 668, 672 n.3 (2011) (providing that issues not raised on appeal are forfeited); *see also Edwards v Emperor’s Garden Rest.*, 122 Nev. 317, 330 n.38, 130 P.3d 1280, 1288 n.38 (2006) (explaining that Nevada’s appellate courts need not consider issues unsupported by cogent argument). As a result, Zito has forfeited any challenge to the grounds on which the district court dismissed his complaint, and thus, he has failed to demonstrate the district court erred by dismissing his complaint. *See Brown v. Eddie World,*

Inc., 131 Nev. 150, 152, 348 P.3d 1002, 1003 (2015) (stating that NRCP 12(b)(5) dismissal orders are subject to de novo review). Accordingly, we

ORDER the judgment of the district court AFFIRMED.¹


_____, C.J.
Bulla


_____, J.
Gibbons


_____, J.
Westbrook

cc: Hon. Kathleen A. Sigurdson, District Judge
Jordan Christopher Zito
Washoe County District Attorney
Washoe District Court Clerk

¹Insofar as Zito raises arguments that are not specifically addressed in this order, we conclude that they do not present a basis for relief. Further, in light of our resolution of this matter, we deny all motions currently pending in this appeal.