

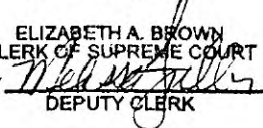
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

WILLIE SHIELDS,
Appellant,
vs.
NEVADA EX. REL. NDOC,
Respondent.

No. 90999-COA

FILED

FEB 02 2026

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Willie Shields appeals from a district court order of dismissal without prejudice in a civil action. Eleventh Judicial District Court, Pershing County; Jim C. Shirley, Judge.

On July 11, 2024, Shields filed a complaint naming respondent the State of Nevada ex. rel. the Nevada Department of Corrections and several of its current or former employees, Dr. Dana Marks, Erin Parks, Kara LeGrand, Kenneth Williams, and James Dzurenda. Shields sought monetary damages based on his allegations that respondents failed to treat and/or accommodate his medical condition. In May of 2025, Shields filed a motion “for default judgment and or contempt of court” alleging he had served Marks, Parks, and LeGrand via an agent designated to receive service of process on their behalf using the Pershing County Sheriff’s Office. Shields requested the submission of his motion on July 1, 2025. The following day, the district court entered a written order denying Shields’ motion and dismissing his complaint without prejudice because Shields failed to serve the complaint and summons in accordance with NRCP 4.2(d) and NRCP 4(e). This appeal follows.


This court reviews a district court's decision to dismiss a complaint based on the failure to timely effect service of process for an abuse of discretion. *Saavedra-Sandoval v. Wal-Mart Stores*, 126 Nev. 592, 595, 245 P.3d 1198, 1200 (2010). "An abuse of discretion occurs if the district court's decision is arbitrary or capricious or if it exceeds the bounds of law or reason." *Skender v. Brunsonbuilt Constr. & Dev. Co.*, 122 Nev. 1430, 1435, 148 P.3d 710, 714 (2006) (internal quotation marks omitted).

A plaintiff who names the State of Nevada or a public entity of the State of Nevada must serve the complaint and summons on both the Nevada Attorney General at the Office of the Attorney General in Carson City and "the person serving in the office of administrative head of the named public entity, or an agent designated by the administrative head to receive service of process." NRCP 4.2(d)(1). A plaintiff who names any current or former employee of the state as a defendant "for an act or omission relating to his or her public duties or employment" must serve the complaint and summons on both the employee and the Nevada Attorney General at the Office of the Attorney General in Carson City. NRCP 4.2(d)(2). A district court must dismiss a plaintiff's complaint if the plaintiff fails to serve a defendant with process within 120 days of filing the complaint and fails to move for an enlargement of the time for service. *See* NRCP 4(e)(1) ("The summons and complaint must be served upon a defendant no later than 120 days after the complaint is filed, unless the court grants an extension of time under this rule."); NRCP 4(e)(2) (providing that "[i]f service of the summons and complaint is not made upon a defendant before the 120-day service period—or any extension thereof—expires, the court must dismiss the action, without prejudice, as to that defendant upon motion or upon the court's own order to show cause").

Shields' sole argument on appeal is that the district court erred by denying his motion "for default judgment and or contempt of court" as it pertained to Marks, Parks, and LeGrand because they were served via their agent by the Pershing County Sheriff's Office. Shields fails to substantively address the grounds on which the district court dismissed his case or argue that the court failed to use the proper procedure in dismissing the complaint based on the failure to serve the defendants with the summons and complaint. Because Shields fails to present cogent argument as to why he believes the district court erroneously dismissed his complaint, he does not demonstrate he is entitled to relief. *See Edwards v. Emperor's Garden Rest.*, 122 Nev. 317, 330 n.38, 130 P.3d 1280, 1288 n.38 (2006) (providing that appellate courts need not consider issues that are not supported by cogent argument). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Bulla


_____, J.
Gibbons


_____, J.
Westbrook

cc: Eleventh Judicial District Court Clerk/Court Administrator
Willie Shields
Attorney General/Carson City