



IN THE SUPREME COURT OF THE STATE OF NEVADA

JASON ARTHUR ALTHEIDE,
Petitioner,
v.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
DANIELLE K. PIEPER, DISTRICT
JUDGE,
Respondents.

No. 91358

ORDER DENYING PETITION

This original pro se petition for a writ of certiorari challenges the district court's dismissal of petitioner's civil rights complaint for failure to serve process.

"A writ of certiorari is an extraordinary remedy and the decision to entertain a petition for a writ of certiorari lies within the discretion of this court." *Zamarripa v. First Jud. Dist. Ct.*, 103 Nev. 638, 640, 747 P.2d 1386, 1387 (1987). A writ of certiorari may be granted only when a lower court has exceeded its jurisdiction and there is no appeal or any plain, speedy, and adequate remedy. NRS 34.020(2).

While we elect to entertain this petition, we conclude that relief is not warranted. Below, after filing his complaint, petitioner failed to obtain summonses from the clerk for issuance under signature and seal for service on each defendant. *See* NRCP 4. Consequently, the sheriff refused to serve the

defective summonses presented by petitioner. Petitioner then filed a “motion for service execution.” In it, petitioner admitted he failed to obtain summonses from the clerk for issuance under signature and seal. NRCP 4(c)(1) expressly assigns responsibility to the plaintiff to have the summons and complaint served, but petitioner blamed his failure on the prison law library and requested an extension to effectuate service. Contrary to petitioner’s suggestion, however, the motion did not request the district court to find that service had been properly made. Thus, although the district court granted petitioner an extension, it remained incumbent on him to promptly and properly effectuate service.

Petitioner failed to do so. Instead, he took the unsupported position that by granting him an extension, the district court had determined his defective, unserved summonses satisfied his obligations under NRCP 4. On that basis, petitioner repeatedly moved for a default judgment, without success. Petitioner also refused to serve numerous motions on the defendants, claiming they were parties in default upon whom service is not required under NRCP 5(a)(2). Nearly three years after filing his complaint and a barrage of virtually incomprehensible motions, petitioner still had not demonstrated that he effectuated service, so the district court dismissed his complaint. Given the record before us, we discern no error by the district court.

Moreover, dismissal of petitioner’s complaint was appropriate on additional grounds. For the reasons recently articulated by the court of appeals, petitioner’s claims regarding improper isolation and segregation fail as a matter of law. *See Altheide v. Reubart*, No. 90203-COA, 2025 WL 3249709 (Nev. Ct. App. Nov. 20, 2025) (Order of Affirmance); *see also Saavedra-Sandoval v. Wal-Mart Stores, Inc.*, 126 Nev. 592, 599, 245 P.3d 1198, 1202

(2010) (explaining that this court will not disturb the district court's judgment if it "reached the correct result, even if for the wrong reason"). Accordingly, we

ORDER the petition DENIED.



Stiglich, J.



Cadish, J.



Lee, J.

cc: Hon. Danielle K. Pieper, District Judge
Jason Arthur Altheide
Eighth Judicial District Court Clerk