

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVE MICHAEL COX,  
Appellant,

vs.

CARSON-TAHOE HOSPITAL; T.  
D'AMICO; JIM BENEDETTI; GARY  
MOORE; QUENTIN BYRNE; ROBERT  
BATES; DONALD HELLING; PAUL  
COLBERT; DEBRA NOEL; GERALD  
ADAMSON; AND WILLIAM S. SHAW,  
Respondents.

No. 39703

**FILED**

JUN 18 2003

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Richard*  
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from two district court orders, one granting summary judgment in favor of respondent Carson-Tahoe Hospital and the other granting dismissal in favor of the remaining respondents.<sup>1</sup> We conclude that the district court properly granted summary judgment in favor of Carson-Tahoe Hospital given that appellant failed to demonstrate that the hospital was negligent or violated his civil rights.<sup>2</sup> We also conclude that the district court properly dismissed appellant's complaint after determining that the summonses

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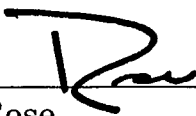
<sup>1</sup>Although appellant was not granted leave to file papers in proper person, see NRAP 46(b), we have considered the proper person documents received from appellant.

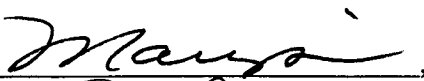
<sup>2</sup>Mark Properties, Inc. v. National Title Co., 117 Nev. 941, 945, 34 P.3d 587, 590 (2001) (observing that summary judgment is proper when there is no genuine issue as to any material fact, and the moving party is entitled to judgment as a matter of law). See also NRS 41A.071 (requiring dismissal if an action for medical malpractice is filed without an affidavit of a medical expert).


issued by appellant did not comply with NRCP 4 (a) and (b), and thus, appellant failed to effect service within the requisite 120-day period.<sup>3</sup>

Having reviewed the record on appeal and considered appellant's arguments, we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, J.  
Rose

  
\_\_\_\_\_, J.  
Maupin

  
\_\_\_\_\_, J.  
Gibbons

cc: Hon. William A. Maddox, District Judge  
Steve Michael Cox  
Attorney General Brian Sandoval/Carson City  
Piscevich & Fenner  
Carson City Clerk

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<sup>3</sup>NRCP 4(i) (providing that if a service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint and the party on whose behalf such service was required cannot show good cause as to why service was not made within the requisite time period, the action shall be dismissed as to that defendant without prejudice).