

IN THE SUPREME COURT OF THE STATE OF NEVADA

KENNETH BARRETT,  
REPRESENTATIVE OF THE ESTATE  
OF PATSY ANN BARRETT,  
Appellant,  
vs.  
THE STATE OF NEVADA  
DEPARTMENT OF HUMAN  
RESOURCES,  
Respondent.

No. 40035

FILED

JUN 23 2004

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

ORDER DISMISSING APPEAL

This proper person appeal challenges a district court order imposing a Medicaid estate recovery lien against appellant's mother's former residence. Eighth Judicial District Court, Clark County; Michael L. Douglas, Judge. Pursuant to this court's order, respondent filed a response to the appeal, arguing that the appeal is moot, given that respondent released the lien on April 27, 2004. We agree.

"This Court has long adhered to the general rule that denies review to cases rendered moot by the happening of events subsequent to the initial controversy."<sup>1</sup> An appeal is moot when this court's ruling could not affect the matter before it.<sup>2</sup> Here, even if we were to conclude that the

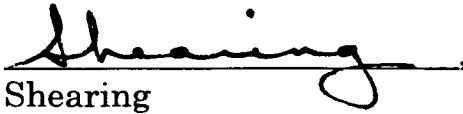
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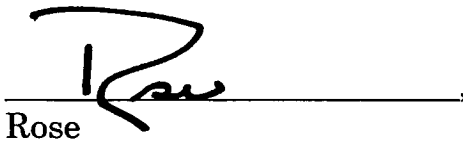
<sup>1</sup>Bd. of Cty. Comm'rs. v. White, 102 Nev. 587, 589, 729 P.2d 1347, 1349 (1986).

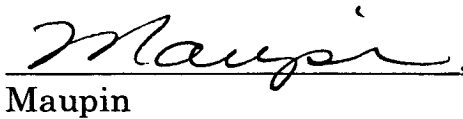
<sup>2</sup>NCAA v. University of Nevada, 97 Nev. 56, 57, 624 P.2d 10, 10 (1981).

district court erred in imposing the lien, relief would be pointless, as respondent's lien no longer burdens the property.

Accordingly, because this appeal is moot, we  
ORDER this appeal DISMISSED.<sup>3</sup>

 C.J.  
Shearing

 J.  
Rose

 J.  
Maupin

cc: Eighth Judicial District Court Dept. 11, District Judge  
Attorney General Brian Sandoval/Las Vegas  
Kenneth Don Barrett Jr.  
Clark County Clerk

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<sup>3</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 him.