

IN THE SUPREME COURT OF THE STATE OF NEVADA

CARRELL L. WEST, D/B/A SIERRA  
WEST LIMOUSINE SERVICE,  
Appellant,  
vs.  
LEE BROS. LEESING, INC., A  
NEVADA CORPORATION,  
Respondent.

No. 40207

FILED

JUN 04 2003

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

ORDER OF AFFIRMANCE

This is a proper person appeal from a summary judgment in an action for breach of contract. Summary judgment is appropriate when there are no genuine issues of material fact and the moving party is entitled to judgment as a matter of law.<sup>1</sup> This court reviews an order granting summary judgment de novo,<sup>2</sup> and construes the pleadings in the light most favorable to the non-moving party.<sup>3</sup> To successfully oppose a summary judgment motion, however, the non-moving party must show specific facts, not general allegations and conclusions, presenting a genuine issue of material fact for trial.<sup>4</sup>

Having reviewed the record, we conclude that the district court properly granted summary judgment in favor of respondent. Respondent provided documentation in support of its allegation that

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<sup>1</sup>NRCP 56(c).

<sup>2</sup>See Bulbman, Inc. v. Nevada Bell, 108 Nev. 105, 110, 825 P.2d 588, 591 (1992).

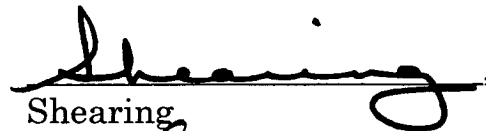
<sup>3</sup>See La Mantia v. Redisi, 118 Nev. \_\_, \_\_, 38 P.3d 877, 879 (2002).


<sup>4</sup>See id.

appellant defaulted under the lease agreements and the loan.<sup>5</sup> Appellant failed to present specific facts creating a genuine issue of fact as to whether he defaulted.

Additionally, we conclude that the district court properly denied appellant's motion for removal to federal court<sup>6</sup> and motion for the appointment of counsel. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, J.  
Shearing

  
\_\_\_\_\_, J.  
Leavitt

  
\_\_\_\_\_, J.  
Becker

cc: Hon. Connie J. Steinheimer, District Judge  
Marshall Hill Cassas & de Lipkau  
Carrell L. West  
Washoe District Court Clerk

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<sup>5</sup>See NRS 104A.2523.

<sup>6</sup>See 28 U.S.C. § 1446(a), (b), and (d) (2000).