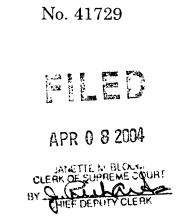
IN THE SUPREME COURT OF THE STATE OF NEVADA

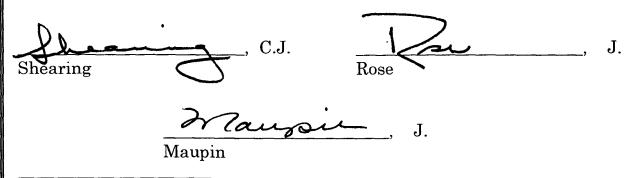
LORNE RICHARDSON; DERRICK BISHOP; TROY HEFLIN; MICHAEL MCCORMICK; GREGORY MILTON, AND WILLIAM MORRIS, Appellants, vs. THE STATE OF NEVADA EX REL. DEPARTMENT OF CORRECTIONS, Respondent.



ORDER OF AFFIRMANCE

This is a proper person appeal from a district court order that granted summary judgment to respondent Nevada Department of Corrections (NDOC) in a declaratory relief action. Appellants argue that NDOC's smoking policy is invalid. We have reviewed the arguments and record in this case, and conclude that the district court correctly granted summary judgment to respondent.¹ Accordingly, we

ORDER the judgment of the district court AFFIRMED.²



¹See NRCP 56 (stating that summary judgment is available if there is no genuine dispute over a material fact and the moving party is entitled to judgment as a matter of law); NRS 202.2491(8) (exempting NDOC from state smoking statutes).

²Appellants sought leave to appear in proper person. <u>See</u> NRAP 46(b). Although we deny appellants' request, we have considered the proper person documents received from them.

JPREME COURT OF NEVADA cc: Hon. John M. Iroz, District Judge Attorney General Brian Sandoval/Carson City Derrick Everett Bishop Troy David Heflin Jr. Michael McCormick Gregory Ronald Milton William Morris Lorne Douglas Richardson Pershing County Clerk

of Nevada

Sector Sector 21 14