

IN THE SUPREME COURT OF THE STATE OF NEVADA

RYAN CODDINGTON,
Appellant,

vs.

BILL DONAT; JAMES BACA; RICHARD
SHEPHERD; AND BRIAN HENLEY,
Respondents.

No. 53557

FILED

DEC 04 2009

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE


This is a proper person appeal from a district court summary judgment in an inmate rights action. First Judicial District Court, Carson City; William A. Maddox, Judge.


This court reviews orders granting summary judgment de novo. Wood v. Safeway, Inc., 121 Nev. 724, 729, 121 P.3d 1026, 1029 (2005). Summary judgment is appropriate when there is no genuine issue of material fact and the moving party is entitled to a judgment as a matter of law. Id. The pleadings and other proof must be construed in a light most favorable to the nonmoving party. Id. But once the movant has properly supported the summary judgment motion, the nonmoving party may not rest upon general allegations and conclusions and must instead set forth, by affidavit or otherwise, specific facts demonstrating the existence of a genuine issue of material fact for trial to avoid having summary judgment entered against him. Id. at 731, 121 P.3d at 1030-31; see also NRCP 56(e). Moreover, in deciding summary judgment motions involving inmate rights, courts should show due deference to prison officials' views with respect to matters of professional judgment. Beard v. Banks, 548 U.S. 521, 528 (2006).

Having reviewed appellant's civil proper person appeal statement and the record on appeal, we conclude that the district court did not err in denying appellant's motion for partial summary judgment and granting respondents' motion for summary judgment. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

cc: First Judicial District Court Dept. 2, District Judge
Ryan Coddington
Attorney General Catherine Cortez Masto/Carson City
Carson City Clerk