IN THE SUPREME COURT OF THE STATE OF NEVADA

TRAVIS R. DEAN,
Appellant,
vs.
JACK PALMER; AND HENRY GODECKE,
Respondents.

No. 59534

FILED

NOV 16 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from a district court order dismissing a civil rights action. Sixth Judicial District Court, Pershing County; Richard Wagner, Judge.

On appeal, appellant argues that the district court erred in concluding that he failed to state a claim for violation of his equal protection rights and his due process rights based on an allegedly improper pat-down search. Having reviewed the record and appellant's civil proper person appeal statement, drawing every inference in favor of appellant and accepting all of appellant's allegations as true, we conclude that the district court properly dismissed the action for failure to state a claim upon which relief could be granted.[1] Buzz Stew, LLC v. City of N.

[1]Appellant filed an opening brief in which he discusses other causes of action asserted in his complaint, which the district court dismissed on May 26, 2011. Appellant, however, failed to present any arguments on appeal regarding these causes of action, and thus, we do not consider his challenge to the dismissal of these claims. See Edwards v. Emperor's Garden Rest., 122 Nev. 317, 330 n.38, 130 P.3d 1280, 1288 n.38 (2006) (noting that it is a party's responsibility to "cogently argue, and present relevant authority, in support of his appellate concerns").

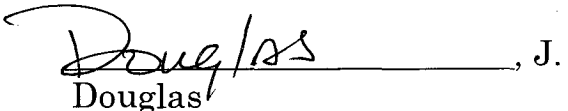
12-36383

Las Vegas, 124 Nev. 224, 227-28, 181 P.3d 670, 672 (2008) (explaining that this court rigorously reviews a dismissal for failure to state a claim, accepting all of the factual allegations in the complaint as true and drawing all inferences in favor of the plaintiff).

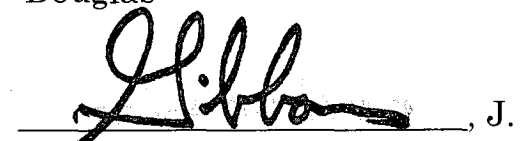
With regard to appellant's equal protection claim, the record shows that appellant failed to allege that he was treated differently than other inmates or that there was no rational basis for the pat-down search. See In re Candelaria, 126 Nev. ___, ___, 245 P.3d 518, 523 (2010) (explaining that an equal protection claim arises when a statute treats similarly situated people differently); see also Village of Willowbrook v. Olech, 528 U.S. 562, 564 (2000) (providing that, in order to establish a class-of-one equal protection claim, a plaintiff must show that he or she has been "intentionally treated differently from others similarly situated and that there is no rational basis for the difference in treatment"). As to appellant's due process claim, he asserts that he was denied due process because his allegation that the pat-down search was sexually inappropriate was never investigated. Appellant failed to allege, however, that he was deprived of any constitutional or state-created liberty or property interest that would have triggered due process concerns. See Pressler v. City of Reno, 118 Nev. 506, 510, 50 P.3d 1096, 1098 (2002) ("The protections of due process only attach when there is a deprivation of a protected property or liberty interest."). Thus, the district court correctly concluded that appellant failed to state an equal protection claim

or a claim for violation of his due process rights. Accordingly, we

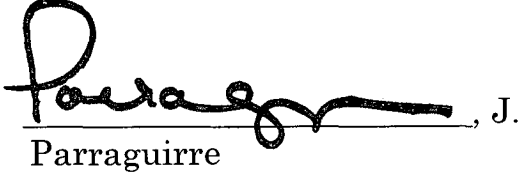
ORDER the judgment of the district court AFFIRMED.[2]



_____, J.
Douglas



_____, J.
Gibbons



_____, J.
Parraguirre

cc: Hon. Richard Wagner, District Judge
Travis R. Dean
Attorney General/Carson City
Pershing County Clerk

---

[2]We deny appellant's November 14, 2011, transcript request because he did not identify any transcripts to be produced and it appears that no hearings were held in the district court on either September 6, 2011, or October 27, 2011. In addition, appellant's May 9, 2012, letter was not a properly filed motion. See In re Petition to Recall Dunleavy, 104 Nev. 784, 787, 769 P.2d 1271, 1273 (1988) (explaining that requests for relief must be presented in a formal motion). Moreover, the only relief appellant arguably sought through this letter was to stay the removal of his appeal from the civil proper person pilot program. As appellant was never removed from the pilot program, we take no action on the May 9, 2012, letter.