

IN THE SUPREME COURT OF THE STATE OF NEVADA

NAVGEET ZED,
Appellant,
vs.
DISCOVER BANK,
Respondent.

No. 59960

FILED

MAY 15 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *Handwritten Signature*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from a district court summary judgment in an action to recover credit card debt. Second Judicial District Court, Washoe County; Robert H. Perry, Judge.

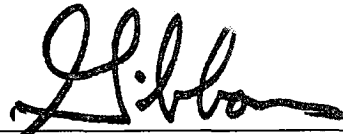
Summary judgment is appropriate when there is no genuine issue of material fact, and thus, the moving party is entitled to judgment as a matter of law. *Wood v. Safeway, Inc.*, 121 Nev. 724, 729, 121 P.3d 1026, 1029 (2005). To avoid summary judgment once the movant has properly supported the summary judgment motion, the nonmoving party may not rest upon general allegations and conclusions, but must instead set forth by affidavit or otherwise specific facts demonstrating the existence of a genuine issue of material fact for trial. *Id.* at 731, 121 P.3d at 1030-31; NRCP 56(e). This court reviews an order granting summary judgment de novo. *Wood*, 121 Nev. at 729, 121 P.3d at 1029.

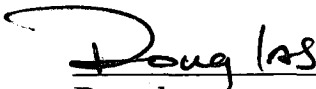
Having reviewed appellant's appeal statement and the record on appeal, we conclude that the district court properly granted summary judgment. Appellant failed to file any opposition to respondent's motion for summary judgment and the district court therefore deemed the motion meritorious. As appellant failed to oppose the motion and demonstrate

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any material question of fact, summary judgment was appropriate. NRCP 56(e). Additionally, appellant's failure to raise any opposition in the district court precludes him from doing so for the first time on appeal. *Old Aztec Mine, Inc. v. Brown*, 97 Nev. 49, 52, 623 P.2d 981, 983 (1981) (stating that this court will not consider an issue raised for the first time on appeal). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Saitta

cc: Second Judicial District Court Dept. 9
Naveet Zed
Guglielmo & Associates
Washoe District Court Clerk