

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

FREDERICK OMOYUMA SILVER,
Appellant,

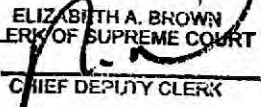
vs.

STEVEN B. WOLFSON, DA CLARK
COUNTY FAMILY CHILD SUPPORT
DIVISION; VERONICA GOMEZ,
AGENT DA CLARK COUNTY FAMILY
CHILD SUPPORT DIVISION; AARIN
BAILEY; CANDICE KATIE TOWNER;
SUMMERLIN HOSPITAL MEDICAL
CENTER, LLC; AND WELLS FARGO
BANK, N.A.,
Respondents.¹

No. 79891-COA

FILED

FEB 08 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

Frederick Omoyuma Silver appeals from the district court's dismissal of his civil action. Eighth Judicial District Court, Clark County; James Crockett, Judge.

In the proceedings below, Silver filed a complaint against respondents alleging civil rights violations based on due process violations and unreasonable seizures, fraud, and mail fraud. Respondents each moved to dismiss the complaint, arguing that Silver's complaint was barred by preclusion principles, as he had previously filed a similar complaint which was dismissed with prejudice, and because the complaint failed to state a

¹The record demonstrates that Jane Femiano, State of Nevada Department of Health and Human Services, Aaron D. Ford, and Office of the Attorney General did not appear in the underlying action and, therefore, are not proper parties to this appeal. *See Valley Bank of Nev. v. Ginsburg*, 110 Nev. 440, 448, 874 P.2d 729, 735 (1994) (explaining that a person who does not appear below is not a party to that action). As a result, the clerk of the court shall amend the caption for this case to conform to the caption on this order.

claim upon which relief could be granted. The district court granted the motions to dismiss and this appeal followed.

On appeal, Silver challenges the district court's dismissal orders and argues only that he has shown the case is properly before the court and the violations of his rights and fraud by all of the defendants. But the district court dismissed Silver's complaint on preclusion grounds and for failing to state a claim. Because Silver failed to raise any arguments addressing the grounds relied on by the district court in dismissing his complaint, he has waived any such challenge. *See Powell v. Liberty Mut. Fire Ins. Co.*, 127 Nev. 156, 161 n.3, 252 P.3d 668, 672 n.3 (2011) ("Issues not raised in an appellant's opening brief are deemed waived."). And to the extent Silver's statements and numerous citations to various authority in his opening brief could be construed as raising arguments challenging the district court's order, he has failed to offer any cogent argument to support his summary assertions. *See Edwards v. Emperor's Garden Rest.*, 122 Nev. 317, 330 n.38, 130 P.3d 1280, 1288 n.38 (2006) (explaining that this court need not consider claims that are not cogently argued). As a result, we necessarily affirm the district court's order dismissing Silver's complaint.

Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Chief Judge, Eighth Judicial District Court
Eighth Judicial District Court, Dept. 24
Frederick Omoyuma Silver
Attorney General/Carson City
Candice Katie Towner
Wilson, Elser, Moskowitz, Edelman & Dicker, LLP/Las Vegas
Snell & Wilmer, LLP/Las Vegas
Clark County District Attorney
Clark County District Attorney/Civil Division
Eighth District Court Clerk