

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

AIMEE O'NEIL,
Appellant,
vs.
CHARLENE O'NEIL; AND GLORIA
MAZZOLI,
Respondents.

No. 82418-COA

FILED

SEP 29 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Aimee O'Neil appeals from a district court order granting summary judgment. Eighth Judicial District Court, Clark County; Gloria Sturman, Judge.

In the proceedings below, Aimee filed a complaint against respondents alleging various intentional torts, and the district court subsequently granted respondents' motion for summary judgment. In its order, the district court concluded that Aimee's claims were barred by the doctrine of claim preclusion as Aimee had filed a prior complaint in which the same claims were or could have been raised, and a final judgment was entered in favor of respondents in that case. Accordingly, the district court granted summary judgment in favor of respondents and this appeal followed.


On appeal, Aimee challenges the district court's order granting summary judgment in favor of respondents. This court reviews a district court's order granting summary judgment de novo. *Wood v. Safeway, Inc.*, 121 Nev. 724, 729, 121 P.3d 1026, 1029 (2005). Summary judgment is proper if the pleadings and all other evidence on file demonstrate that no genuine dispute of material fact exists and that the moving party is entitled to judgment as a matter of law. *Id.* When deciding a summary judgment motion, all evidence must be viewed in a light most favorable to the

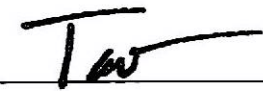
nonmoving party. *Id.* But general allegations and conclusory statements do not create genuine disputes of fact. *Id.* at 731, 121 P.3d at 1030-31. Instead, “to defeat summary judgment, the nonmoving party must transcend the pleadings and, by affidavit or other admissible evidence, introduce specific facts that show a genuine [dispute] of material fact.” *Cuzze v. Univ. & Cmty. Coll. Sys. of Nev.*, 123 Nev. 598, 603, 172 P.3d 131, 134 (2007).

Here, Aimee’s brief only reasserts her argument that respondents are liable to her, but fails to offer any argument as to the basis of the district court’s decision—that Aimee’s claims are barred by the doctrine of claim preclusion. Thus, because Aimee fails to raise any arguments addressing the grounds relied on by the district court in granting summary judgment, she has waived any such challenge and we necessarily affirm the district court’s order. *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.”).

Accordingly, we

ORDER the judgment of the district court AFFIRMED.¹


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

¹We likewise deny any other requests for relief currently pending before this court.

cc: Hon. Gloria Sturman, District Judge
Aimee O'Neil
Kevin E. Beck
Eighth District Court Clerk