

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

THOMAS J. BECKER, AN  
INDIVIDUAL; AND JOHN THOMAS,  
AN INDIVIDUAL,

Appellants,

vs.

KEN SANGHA, AN INDIVIDUAL;  
SARBJIT HUNDAL, AN INDIVIDUAL;  
AND WELPMAN HOLDINGS, LLC, A  
NEVADA LIMITED LIABILITY

COMPANY,

Respondents.

No. 83211-COA

**FILED**

**APR 13 2022**

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Yarbrough  
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Thomas J. Becker and John Thomas appeal from a district court order granting summary judgment in a contract action. Eighth Judicial District Court, Clark County; Jessica K. Peterson, Judge.

Appellants filed the underlying action against respondents in connection with a residential lease and option to purchase, asserting both breach of contract and breach of the implied covenant of good faith and fair dealing, and also requesting declaratory relief. The district court ultimately granted summary judgment in favor of respondents, concluding in relevant part that appellants breached the lease by failing to pay rent and that respondents were thereby excused from performing thereunder. The court further specified that the breach excused respondents from complying with the option to purchase and that, even if it did not, appellants failed to tender

the earnest money required to exercise the option. Accordingly, the court rejected all of appellants' claims, and this appeal followed.

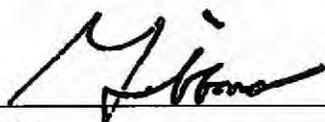
Reviewing the district court's summary judgment de novo, see *Wood v. Safeway, Inc.*, 121 Nev. 724, 729, 121 P.3d 1026, 1029 (2005), we affirm. Appellants present only two arguments for reversal in their informal brief, neither of which expressly addresses the actual grounds relied upon by the district court. First, they contend the district court inappropriately relied on the existence of an \$8 million default judgment against them and the fact that they had previously been arrested when it ruled in favor of respondents. However, although these matters were briefly discussed at the hearing on respondents' motion for summary judgment, our review of the district court's written order granting the motion confirms that the court did not at all base its decision on these facts and instead ruled on the legal grounds set forth above. We therefore reject appellants' argument on this point.

Appellants further argue that reversal is warranted because their former counsel allegedly committed legal malpractice. But if any malpractice occurred, the appropriate avenue of redress would be for appellants to file an action against their former counsel; it would not warrant reversal in this matter. See *Lange v. Hickman*, 92 Nev. 41, 43, 544 P.2d 1208, 1209 (1976) (“[An] attorney’s neglect is imputed to his client, and the client is held responsible for it. The client’s recourse is an action for malpractice.”); see also *Garcia v. Scolari’s Food & Drug*, 125 Nev. 48, 57 n.7, 200 P.3d 514, 520 n.7 (2009) (“[W]e find no support . . . for the proposition

that the right to an ineffective-assistance-of-counsel argument exists in civil cases.”).

In light of the foregoing, appellants have failed to demonstrate that reversal is warranted, and we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Bulla

cc: Hon. Jessica K. Peterson, District Judge  
John Thomas  
Thomas J. Becker  
Davis/Stibor  
Eighth District Court Clerk