

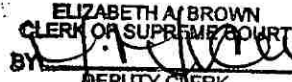
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CEDRIC GREENE,
Appellant,
vs.
PROSPECT MEDICAL GROUP,
Respondent.

No. 87839-COA

FILED

FEB 26 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Cedric Greene appeals from a district court order denying a motion to change the place of trial. Eighth Judicial District Court, Clark County; Veronica Barisich, Judge.

Greene filed the underlying intentional tort action against respondent Prospect Medical Group. Shortly thereafter, Greene filed a motion seeking a change of venue to either the First or Second Judicial District Courts. Greene's motion cited NRS 13.050(2)(b) (allowing a court to change the place of trial "[w]hen there is reason to believe that an impartial proceeding cannot be had" in the judicial district). In his motion, Greene asserted that he cannot "obtain[] impartiality" in the Eighth Judicial District, as evidenced by "various processing delays" his case experienced, and the fact the Eighth Judicial District did not provide "adequate customer service" or "adequate answers to his questions." Greene's motion also references, without explanation, an unspecified minute order as providing further grounds for his motion.

The district court subsequently scheduled Greene's motion for a hearing. However, no one appeared for that hearing. Thereafter, the district court entered an order denying the motion to change the place of

trial, “[b]ased on [the] non-appearance of [Greene] and the lack of legal authority to transfer this case” cited in the motion. This appeal followed.

We will not overturn a district court’s denial of a motion to change the place of trial “absent a manifest abuse of discretion.” *Sicor, Inc. v. Hutchison*, 127 Nev. 904, 911, 266 P.3d 608, 613 (2011).

In seeking to change venue on the basis that he cannot obtain an impartial trial in the Eighth Judicial District Court, Greene offered only vague assertions regarding alleged processing delays, “customer service” issues, and an unspecified minute order that was ostensibly from one of his prior cases. But Greene fails to provide any specific explanation regarding these alleged incidents or illustrate how these events demonstrate that he will be unable to receive an impartial trial in the Eighth Judicial District Court. *See Edwards v. Emperor’s Garden Rest.*, 122 Nev. 317, 330 n.38, 130 P.3d 1280, 1288 n.38 (2006) (holding that the court need not consider claims that are not cogently argued).

Moreover, to the extent Greene’s intent is to suggest that these alleged incidents somehow demonstrate bias against him in the Eighth Judicial District, such that a change of venue should have been granted, this argument does not provide a basis for relief. *Cf. Canarelli v. Eighth Jud. Dist. Ct.*, 138 Nev. 104, 107, 506 P.3d 334, 337 (2022) (explaining that unless an alleged bias has its origins in an extrajudicial source, disqualification is unwarranted absent a showing that the judge formed an opinion based on facts introduced during official judicial proceedings and which reflects deep-seated favoritism or antagonism that would render fair judgment impossible); *In re Petition to Recall Dunleavy*, 104 Nev. 784, 789, 769 P.2d 1271, 1275 (1988) (providing that rulings made during official judicial proceedings generally “do not establish legally cognizable grounds

for disqualification”); *Rivero v. Rivero*, 125 Nev. 410, 439, 216 P.3d 213, 233 (2009) (stating that the burden is on the party asserting bias to establish sufficient factual grounds for disqualification), *overruled on other grounds* by *Romano v. Romano*, 138 Nev. 1, 6, 501 P.3d 980, 984 (2022), *abrogated in part on other grounds* by *Killebrew v. State ex rel. Donohue*, 139 Nev., Adv. Op. 43, 535 P.3d 1167, 1171 (2023).

Accordingly, we cannot conclude that the district court manifestly abused its discretion in denying Greene’s motion to change the place of trial, *Sicor*, 127 Nev. at 911, 266 P.3d at 613, and we therefore, affirm the district court’s decision.

It is so ORDERED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Veronica Barisich, District Judge
Cedric Greene
Prospect Medical Group
Eighth District Court Clerk