

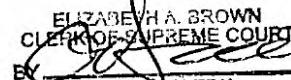
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CEDRIC GREENE,  
Appellant,  
vs.  
NUVATION PAIN GROUP,  
Respondent.

No. 87211-COA

FILED

APR 29 2024

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

ORDER OF AFFIRMANCE

Cedric Greene appeals from a district court order dismissing a tort action for lack of personal jurisdiction. Eighth Judicial District Court, Clark County; Maria A. Gall, Judge.

Greene, a California resident, filed the underlying tort action in the Eighth Judicial District Court against respondent Nuvation Pain Group, a California entity, seeking \$50,000 in damages for Nuvation's alleged refusal to treat him when he presented for a medical appointment. Nuvation subsequently moved to dismiss the action, arguing that personal jurisdiction over it did not exist in the Nevada district courts. Rather than filing an opposition, Greene sought to strike Nuvation's motion, but the district court subsequently entered an order granting the motion to dismiss. After the district court denied Greene's motions for reconsideration and NRCP 60(b) relief as to the dismissal order, Greene filed this appeal.

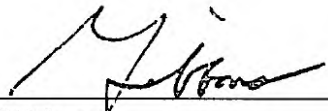
We review a district court's resolution of personal jurisdiction issues de novo. *See Baker v. Eighth Jud. Dist. Ct.*, 116 Nev. 527, 531, 999 P.2d 1020, 1023 (2000). "[A] nonresident defendant must have sufficient minimum contacts with the forum state so that subjecting the defendant to the state's jurisdiction will not offend traditional notions of fair play and

substantial justice.” *Fulbright & Jaworski v. Eighth Jud. Dist. Ct.*, 131 Nev. 30, 36, 342 P.3d 997, 1001 (2015) (internal quotation marks and citation omitted). When a defendant challenges personal jurisdiction, the plaintiff must introduce evidence to make a prima facie showing that personal jurisdiction exists. *Trump v. Eighth Jud. Dist. Ct.*, 109 Nev. 687, 692-93, 857 P.2d 740, 743-44 (1993).

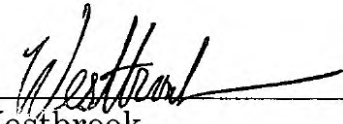
In granting the motion to dismiss for lack of personal jurisdiction, the district court concluded that Greene had failed to present any facts to establish that the court had personal jurisdiction over Nuvation, which it found was a California entity with no connection to Nevada sufficient to support exercising personal jurisdiction over the company. On appeal, Greene does not challenge the district court’s finding that Nuvation was a California entity or present any argument that Nuvation had contacts with Nevada that would allow the district court to exercise personal jurisdiction over it. Nor does Greene assert that, in response to Nuvation’s challenge to personal jurisdiction, he made a prima facie showing that personal jurisdiction over the company was proper. *Id.* As a result, Greene has waived any challenge to the findings and conclusions underpinning the district court’s determination that it lacked personal jurisdiction over Nuvation. *See Powell v. Liberty Mut. Fire Ins. Co.*, 127 Nev. 156, 161 n.3, 252 P.3d 668, 672 n.3 (2011) (providing that “[i]ssues not raised in an appellant’s opening brief are deemed waived”). Under these circumstances, we cannot conclude that the district court erred in dismissing Greene’s case on this basis. *See Baker*, 116 Nev. at 531, 999 P.2d at 1023.

Accordingly, for the reasons set forth above, we affirm the district court's dismissal of Greene's complaint.<sup>1</sup>

It is so ORDERED.

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

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

  
\_\_\_\_\_, J.  
Westbrook

cc: Hon. Maria A. Gall, District Judge  
Cedric Greene  
John H. Cotton & Associates, Ltd.  
Eighth District Court Clerk

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<sup>1</sup>Insofar as Greene raises arguments that are not specifically addressed in this order, we have considered the same and conclude that they do not present a basis for relief.