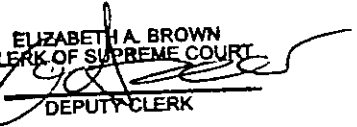


IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN JAVON WRIGHT; AND
ROLANDA WRIGHT,
Appellants,
vs.
ABRAHAM ROTHMAN, M.D.,
Respondent.

No. 87912

FILED
APR 17 2025
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court order granting a motion for summary judgment in a medical malpractice action. Eighth Judicial District Court, Clark County; Eric Johnson, Judge.

Appellant Steven Wright suffered injuries after a complication during heart surgery on August 10, 2021. In May 2022, an MRI showed Wright had anoxic brain damage and small chronic infarcts in the posterior medial left temporal lobe and frontal lobe. On August 2, 2022, Wright filed a medical malpractice action. The complaint cited the MRI, and a letter from a medical expert, which was attached to the complaint, relied on the MRI. That complaint was later dismissed. In September 2022, Wright's treating physician reviewed the MRI and discussed it with Wright. Wright filed the underlying medical malpractice action on August 28, 2023, asserting damages resulting from the surgery, including new injuries diagnosed by his doctor in September 2022 based on the earlier MRI. The district court granted respondent Abraham Rothman, M.D. summary


judgment, concluding that the complaint was barred by the statute of limitations.

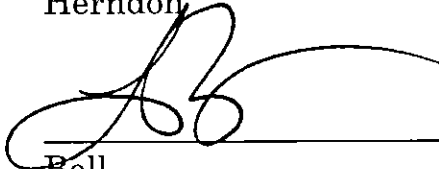
We review an order granting summary judgment *de novo*. *Wood v. Safeway, Inc.*, 121 Nev. 724, 729, 121 P.3d 1026, 1029 (2005). Summary judgment is appropriate when there is no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law. *Id.* When deciding a motion for summary judgment, “the evidence, and any reasonable inferences drawn from it, must be viewed in a light most favorable to the nonmoving party.” *Id.* Having viewed the evidence and drawn all inferences in Wright’s favor, we conclude the district court properly entered summary judgment against Wright.

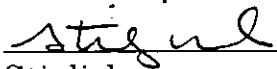
Under NRS 41A.097(2), the plaintiff must file a medical malpractice action within one year after the plaintiff discovers the injury or is on inquiry notice of the injury. “[A] person is put on ‘inquiry notice’ when he or she should have known of facts that would lead an ordinarily prudent person to investigate the matter further.” *Winn v. Sunrise Hosp. & Med. Ctr.*, 128 Nev. 246, 252, 277 P.3d 458, 462 (2012) (internal quotation marks omitted). Wright’s August 2, 2022, verified complaint referenced the results of the May 2022 MRI and confirmed that Wright “knows the contents” of the complaint, which “is true of his knowledge.” Thus, the record demonstrates Wright was on inquiry notice of injuries revealed in the May 2022 MRI as of the date of the first complaint. Because the underlying complaint was filed more than a year after the first complaint, the district

court properly concluded the underlying complaint is barred by NRS 41A.097(2)'s one-year statute of limitations.¹ Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Herndon


_____, J.
Bell


_____, J.
Stiglich

cc: Hon. Eric Johnson, District Judge
Israel Kunin, Settlement Judge
Law Offices of Shawanna L. Johnson
McBride Hall
Eighth District Court Clerk

¹To the extent Wright contends that the district court improperly took judicial notice of the symptoms of congestive heart failure, the record does not support such a contention. Further, the district court's reference at the hearing to congestive heart failure symptoms does not warrant a different result here.