IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD DENSON,
Appellant,
vs.
DET. J. DUCAS; SHERIFF GILLISPIE; LAS VEGAS METROPOLITAN POLICE DEPARTMENT; DET. T. LEE; DET. J. SIWY; DET. S. BECK; DET. J. DIANNONE; DET. M. GENNARO; DET. R. KINCH; DET. K. HIRSCHI; DET. E. COLLINS; DET. D. FRANCE; K-9 OFFICER C. OVERSON; K-9 OFFICER D. LAYTON; NAPHCARE, INC.; AND DR. MCGOREY,
Respondents.

No. 64621

FILED

FEB 12 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
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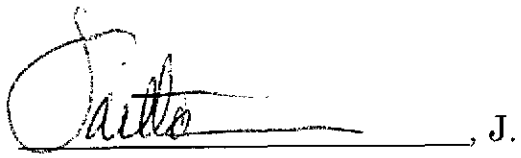
ORDER OF REVERSAL AND REMAND

This is a pro se appeal from a district court order dismissing a tort action for failure to serve process. Eighth Judicial District Court, Clark County; Jerry A. Wiese, Judge.

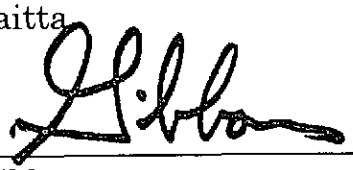
Having considered appellant's appeal statement and the record on appeal, we conclude that the district court erroneously dismissed appellant's complaint. In particular, at the November 5, 2013, status check hearing, the district court declined appellant's request to issue an order directing "[t]he sheriff or other appropriate public officer within this State" to effectuate service of process for appellant. NRS 12.015(2)(b). The basis for the district court's decision was that NRCP 4(i)'s 120-day time frame for serving process had expired. The record demonstrates, however, that appellant filed a written request to that same effect on May 2, 2012, which had not been ruled upon at the time of the November 2013 hearing. Because that written request was filed before NRCP 4(i)'s 120-

day time frame elapsed, the basis for the district court's decision to dismiss appellant's complaint was erroneous. We therefore

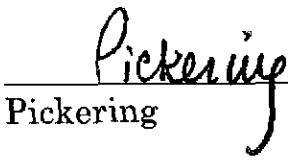
ORDER the judgment of the district court REVERSED AND REMAND this matter to the district court for further proceedings consistent with this order.



_____, J.
Saitta



_____, J.
Gibbons



_____, J.
Pickering

cc: Hon. Jerry A. Wiese, District Judge
Richard Allen Denson
Eighth District Court Clerk