

Filed 10/03/19 by Clerk of Supreme Court

**IN THE SUPREME COURT
STATE OF NORTH DAKOTA**

2019 ND 245

Fernando A. Ramirez, Plaintiff and Appellant

v.

Dave Houge, Defendant and Appellee

and

Rod Didier, Defendant

No. 20190120

Appeal from the District Court of Stutsman County, Southeast Judicial District, the Honorable Troy J LeFevre, Judge.

AFFIRMED.

Per Curiam.

Fernando A. Ramirez, Jamestown, N.D., plaintiff and appellant; submitted on brief.

Lawrence P. Kropp, Jamestown, N.D., for defendant and appellee Dave Houge; submitted on brief.

Ramirez v. Houge
No. 20190120

Per Curiam.

[¶1] Fernando Ramirez appeals from a judgment denying his claims against Dave Houge and Rod Didier and awarding attorney’s fees, costs and disbursements to the defendants. Ramirez commenced this action alleging the defendants were responsible for the disappearance of and injuries to his cats, seeking the return of two cats, and requesting unspecified damages for injuries to another cat and \$20,000 for alleged costs of a fence he installed on his property. Ramirez argues the district court erred in denying his claims.

[¶2] We summarily affirm under N.D.R.App.P. 35.1(a)(1), (2), and (4). Because Ramirez’s appeal is frivolous, we award Houge \$400 of fees incurred on appeal. *See* N.D.R.App.P. 38 (“If the court determines that an appeal is frivolous . . . it may award just damages and single or double costs, including reasonable attorney’s fees.”).

[¶3] Gerald W. VandeWalle, C.J.
Jon J. Jensen
Lisa Fair McEvers
Daniel J. Crothers
Jerod E. Tufte