

IN THE SUPREME COURT OF THE STATE OF NEVADA

JONICA L. BRUNSON,

Appellant,

vs.

AURORA LOAN SERVICES, LLC, A
DELAWARE LIMITED LIABILITY
COMPANY; AND QUALITY LOAN
SERVICE CORPORATION, A FOREIGN
ENTITY,

Respondents.

No. 56899

FILED

NOV 15 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER VACATING JUDGMENT AND REMANDING

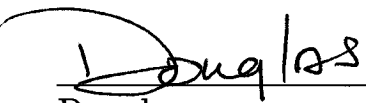
This is an appeal from a district court order dismissing a petition for judicial review in a foreclosure mediation action. Second Judicial District Court, Washoe County; Patrick Flanagan, Judge.

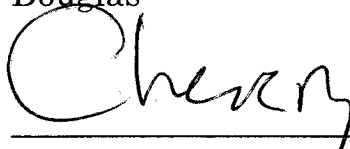
Appellant Jonica Brunson filed a petition for judicial review in district court following a mediation conducted under Nevada's Foreclosure Mediation Program (the Program). Upon learning that respondent Aurora Loan Services, LLC, had rescinded the notice of default upon which the mediation was based, Brunson moved the district court to dismiss her petition. The district court granted Brunson's request, but in doing so, it ordered the parties to attend a second meditation. Brunson then appealed, contending that this was improper.

Because Brunson did not request a second mediation, the district court lacked jurisdiction to order her back to mediation as part of its dismissal order. See Foreclosure Mediation Rule 21(1) (limiting the district court's authority when considering a petition for judicial review under the Program to three categories: "determining bad faith, enforcing agreements . . . , and determining appropriate sanctions"). We therefore


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

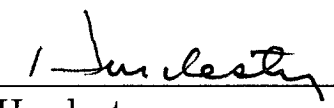

_____, C.J.
Saitta

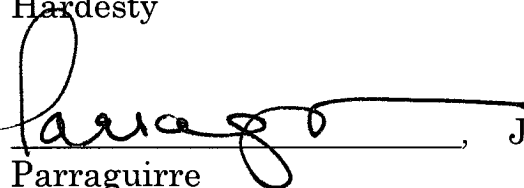

_____, J.
Douglas


_____, J.
Cherry


_____, J.
Gibbons


_____, J.
Pickering


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Hon. Patrick Flanagan, District Judge
Margaret M. Crowley, Settlement Judge
Terry J. Thomas
McCarthy & Holthus, LLP/Las Vegas
Washoe District Court Clerk