

IN THE SUPREME COURT OF THE STATE OF NEVADA

PARADISE HARBOR PLACE TRUST,
Appellant,

vs.

THE BANK OF NEW YORK MELLON,
F/K/A THE BANK OF NEW YORK, AS
TRUSTEE FOR THE CERTIFICATE
HOLDERS OF CWALT, INC.,
ALTERNATIVE LOAN TRUST 2006-
OA16, MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2006-OA16;
and CTC REAL ESTATE SERVICES,
Respondents.

No. 68305

FILED

FEB 24 2016

FRANCIE K. LINDEMAN
CLERK OF SUPREME COURT
BY: *[Signature]*
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from an order denying a motion to vacate a prior order of dismissal and denying a motion to amend the complaint. Eighth Judicial District Court, Clark County; Nancy A. Becker, Judge.

Because no appeal lies from an order denying a motion to vacate an order or from an order denying a motion to amend a complaint, this court entered an order directing appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. See NRAP 3A(b); *Taylor Constr. Co. v. Hilton Hotels*, 100 Nev. 207, 678 P.2d 1152 (1984) (this court has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule). Appellant has responded to this court's order to show cause, and respondents have filed a reply.


Appellant argues that its appeal is not intended to challenge the denial of the motion to vacate, but is rather to challenge the NRCP 54(b) certification in the underlying order, entered September 9, 2013. Respondents counter that appellant has waived its right to challenge the

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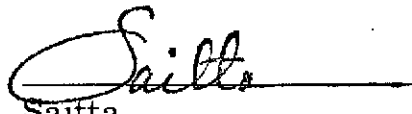
September 9, 2013, order by failing to file a notice of appeal within 30 days of written notice of entry of the order, as required by NRAP 4(a).

Having considered the response and the reply, we conclude that appellant waived its right to challenge the NRCP 54(b) certification in the September 2, 2013, order of dismissal by failing to perfect an appeal, and that no appeal lies from the order denying the motion to vacate and denying the motion to amend the complaint. Accordingly, we conclude that we lack jurisdiction over this appeal, and we

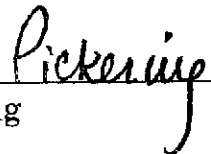
ORDER this appeal DISMISSED.



Hardesty J.



Saitta J.



Pickering J.

cc: Chief Judge, The Eighth Judicial District Court
Hon. Nancy A. Becker, Senior Judge
William C. Turner, Settlement Judge
Law Offices of Michael F. Bohn, Ltd.
Wright, Finlay & Zak, LLP/Las Vegas
Eighth District Court Clerk