

IN THE SUPREME COURT OF THE STATE OF NEVADA

5312 LA QUINTA HILLS, LLC,
Appellant,
vs.
BAC HOME LOANS SERVICING, LP
AS SUCCESSOR IN INTEREST TO
COUNTRYWIDE HOME LOANS, INC.;
RECONTRUST COMPANY, NA; AND
ABSOLUTE COLLECTION SERVICES,
LLC,
Respondents.

No. 71069

FILED

JUN 15 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

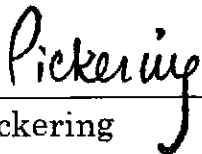
ORDER OF AFFIRMANCE


This is an appeal from a district court order granting summary judgment in an action to quiet title. Eighth Judicial District Court, Clark County; Valerie Adair, Judge. Reviewing the summary judgment de novo, *Wood v. Safeway, Inc.*, 121 Nev. 724, 729, 121 P.3d 1026, 1029 (2005), we affirm.

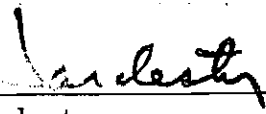
The district court granted summary judgment in favor of respondent BAC Home Loans on two grounds: (1) BAC satisfied the superpriority portion of the homeowner association's lien before the foreclosure sale thus discharging that portion of the lien; and (2) 12 U.S.C. § 4617(j)(3) (2012) (the Federal Foreclosure Bar) preempts NRS 116.3116 where, as here, the mortgage loan is owned by Fannie Mae. Appellant challenges only the first ground on appeal. Because the district court granted summary judgment on an alternative ground—that the Federal Foreclosure Bar preempts NRS 116.3116 in this case—not challenged by

appellant, we affirm.¹ *E.g., Hillis v. Heineman*, 626 F.3d 1014, 1019 n.1 (9th Cir. 2010) (affirming where appellants did not challenge alternative ground on which the district court dismissed the action); *AED, Inc. v. KDC Inv., LLC*, 307 P.3d 176, 181 (Idaho 2013) (“[I]f an appellant fails to contest all of the grounds upon which a district court based its grant of summary judgment, the judgment must be affirmed.”); *Gilbert v. Utah State Bar*, 379 P.3d 1247, 1254-55 (Utah 2016) (“[W]e will not reverse a ruling of the district court that rests on independent alternative grounds where the appellant challenges only one of those grounds.”).

It is so ORDERED.


_____, J.
Pickering


_____, J.
Gibbons


_____, J.
Hardesty

cc: Hon. Valerie Adair, District Judge
Thomas J. Tanksley, Settlement Judge
5312 La Quinta Hills, LLC
Hafter Law
Akerman LLP/Las Vegas
Shane D. Cox
Arnold & Porter Kaye Scholer LLP
Fennemore Craig P.C./Reno
Eighth District Court Clerk

¹The district court’s conclusion on the preemption issue is consistent with our recent decision in *Saticoy Bay LLC Series 9641 Christine View v. Federal National Mortgage Association*, 134 Nev., Adv. Op. 36, ___ P.3d ___ (2018).