

IN THE SUPREME COURT OF THE STATE OF NEVADA

MANDRA ADAMS, INDIVIDUALLY  
AND AS SPECIAL ADMINISTRATOR  
OF THE ESTATE OF MANQUISE  
LESHON ADAMS, A/K/A MANQUISE  
ADAMS, DECEASED; AND JENN  
ALEXY, AS SPECIAL CO-  
ADMINISTRATOR OF THE ESTATE  
OF MANQUISE LESHON ADAMS,  
A/K/A MANQUISE ADAMS,  
DECEASED,

Appellants,

vs.

MATTHEW AYERS, INDIVIDUALLY,  
Respondent.

No. 76114

**FILED**

AUG 30 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER DISMISSING APPEAL*

This is an appeal from an order granting summary judgment in a wrongful death action. Eighth Judicial District Court, Clark County; Nancy L. Allf, Judge.

Respondent has filed a motion to dismiss the appeal on the ground that the notice of appeal was untimely filed. Appellants oppose the motion, and respondent has submitted a reply.<sup>1</sup> Having considered the arguments of the parties and the documents on file with this court, as well as the district court docket entries, we conclude that the notice of appeal was untimely filed under NRAP 4(a) because it was filed more than 30 days after service of written notice of entry of the order granting summary judgment, and we grant the motion to dismiss. See NRAP 4(a)(1); NRAP

<sup>1</sup>Respondent's motion for leave to file a late reply is granted. The clerk of this court shall file the reply received via E-flex on August 24, 2018.

26(c). The order entered April 18, 2018, finally disposed of all claims and is the final judgment. *See Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000) (providing that an order is appealable as a final judgment when it "disposes of all the issues presented in the case, and leaves nothing for the future consideration of the court, except for post-judgment issues such as attorney's fees and costs"). There can only be one final judgment in any action. *See Greene v. Eighth Judicial Dist. Court*, 115 Nev. 391, 395, 990 P.2d 184, 186 (1999). Written notice of entry of the order granting summary judgment was served on counsel electronically on April 19, 2018. Thus, the notice of appeal was due to be filed on or before May 24, 2018. *See* NRAP 4(a)(1); NRAP 26(a)(3), (c). However, the notice of appeal was not filed until June 12, 2018, well beyond the 30-day appeal period. *See Healy v. Volkswagenwerk Aktiengesellschaft*, 103 Nev. 329, 331, 741 P.2d 432, 433 (1987) (an untimely notice of appeal fails to vest jurisdiction in this court.

Accordingly, we conclude that the notice of appeal was untimely filed, and we

ORDER this appeal DISMISSED.<sup>2</sup>

Pickering, J.  
Pickering

Gibbons J.  
Gibbons

Hardesty, J.  
Hardesty

<sup>2</sup> We deny appellants' counter-motion to consolidate this appeal with appeals from the orders awarding attorney fees.

cc: Hon. Nancy L. Alf, District Judge  
Nettles Law Firm  
Marquis Aurbach Coffing  
Olson, Cannon, Gormley, Angulo & Stoberski  
Eighth District Court Clerk