

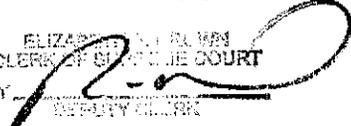
IN THE SUPREME COURT OF THE STATE OF NEVADA

TRP FUND IV, LLC, A DOMESTIC
NON-PROFIT CORPORATION,
Appellant,
vs.
NATIONSTAR MORTGAGE, LLC,
Respondent.

No. 77421

FILED

MAY 1 2013

ELIZABETH J. BLUM
CLERK OF SUPREME COURT
BY: 
REBECCA CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court summary judgment, purportedly certified as final, in an action to quiet title. Eighth Judicial District Court, Clark County; Mark R. Denton, Judge.

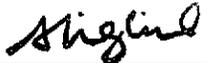
This court previously issued an order directing appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. It appeared that the order was not appealable as a final judgment under NRAP 3A(b)(1) because claims remained pending in the district court. *See Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000) (defining a final judgment). It also appeared that the order was improperly certified as final under NRCP 54(b) because both appellant and respondent remained in the district court proceedings as certain of respondent's counterclaims against appellant remained pending in the district court. *See NRCP 54(b); Loomis v. Whitehead*, 124 Nev. 65, 67 n.3, 183 P.3d 890, 891 n.3 (2008) (explaining that NRCP 54(b) certification is appropriate where parties are completely removed from an action).

In response to this court's order to show cause, counsel for appellant asserts that this court has jurisdiction over this appeal because the district court entered an order "staying any and all remaining claims

and/or counterclaims between Appellant and Respondent pending the disposition of the instant appeal.” The district court’s order does not resolve the outstanding claims below. Accordingly, appellant fails to demonstrate that the district court has entered a final judgment appealable under NRAP 3A(b)(1) in the underlying case. And no other statute or court rule appears to authorize an appeal from the challenged order. *See Brown v. MHC Stagecoach*, 129 Nev. 343, 345, 301 P.3d 850, 851 (2013). This court thus concludes that it lacks jurisdiction, and

ORDERS this appeal DISMISSED.


_____, C.J.
Gibbons


_____, J.
Stiglich


_____, J.
Silver

cc: Hon. Mark R. Denton, District Judge
Hong & Hong
Snell & Wilmer LLP/Salt Lake City
Snell & Wilmer, LLP/Tucson
Snell & Wilmer/Phoenix
Snell & Wilmer, LLP/Las Vegas
Eighth District Court Clerk