


IN THE SUPREME COURT OF THE STATE OF NEVADA

NATIONSTAR MORTGAGE, LLC,
Appellant,
vs.
SFR INVESTMENTS POOL 1, LLC,
Respondent.

No. 76733

FILED

NOV 13 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF REVERSAL AND REMAND

This is an appeal from a district court order granting a motion for judgment on the pleadings in an action to quiet title. Eighth Judicial District Court, Clark County; Gloria Sturman, Judge. Reviewing the order de novo, *Sadler v. PacifiCare of Nev., Inc.*, 130 Nev. 990, 993, 340 P.3d 1264, 1266 (2014), we reverse and remand.¹


The district court denied appellant's motion for leave to file an amended pleading, reasoning that amendment would be futile because 12 U.S.C. § 4617(b)(12)'s three-year limitation period applies to actions to enforce the Federal Foreclosure Bar. However, we recently held in *JPMorgan Chase Bank, National Ass'n v. SFR Investments Pool 1, LLC*, 136 Nev., Adv. Op. 68 (2020), that 12 U.S.C. § 4617(b)(12)'s six-year limitation period applies to any action brought to enforce the Federal Foreclosure Bar. Consequently, the district court's legal basis for denying appellant's motion for leave to amend was erroneous. See *Anderson v. Mandalay Corp.*, 131 Nev. 825, 832, 358 P.3d 242, 247 (2015) ("Although we generally review a district court's decision on a motion for leave to amend for abuse of

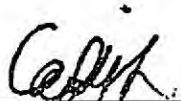
¹Pursuant to NRAP 34(f)(1), we have determined that oral argument is not warranted in this appeal.

discretion, futility is a question of law reviewed de novo because it is essentially an NRCP 12(b)(5) inquiry, asking whether the plaintiff could plead facts that would entitle her to relief." (internal citation omitted)). We therefore

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


_____, J.
Parraguirre


_____, J.
Hardesty


_____, J.
Cadish

cc: Hon. Gloria Sturman, District Judge
Akerman LLP/Las Vegas
Kim Gilbert Ebron
Fennemore Craig P.C./Reno
Eighth District Court Clerk