

IN THE SUPREME COURT OF THE STATE OF NEVADA

ISELLA C. GOMEZ DE HINES,
Appellant,
vs.
RELS VALUATION; AND TIFFANY
DIAZ D/B/A TMD APPRAISALS,
Respondents.

No. 79816

FILED

NOV 13 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

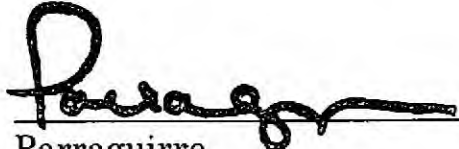
This is an appeal from a district court final judgment following a bench trial in a tort action. Eighth Judicial District Court, Clark County; Gloria Sturman, Judge.¹

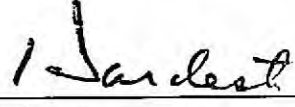
In *Boesiger v. Desert Appraisals LLC*, 135 Nev. 192, 197, 444 P.3d 436, 441 (2019), we held that a homeowner is not an intended third-party beneficiary to an appraisal conducted for a lender. Consistent with *Boesiger*, the district court correctly determined that a substantively identical inspection and appraisal in this case did not confer third-party

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

beneficiary status on appellant. Accordingly, the district court correctly granted respondents' NRCP 52(c) motion.² We therefore

ORDER the judgment of the district court AFFIRMED.


Parraguirre, J.


Hardesty, J.


Cadish, J.

cc: Hon. Gloria Sturman, District Judge
Carolyn Worrell, Settlement Judge
Crosby & Fox, LLC
Wright, Finlay & Zak, LLP/Las Vegas
Eighth District Court Clerk

²Appellant does not dispute respondents' contention that resolution of this issue is dispositive of the other issues raised on appeal, including whether expert testimony was necessary to establish respondents' standard of care regarding the inspection. We therefore decline to address that issue. See *First Nat'l Bank of Nev. v. Ron Rudin Realty Co.*, 97 Nev. 20, 24, 623 P.2d 558, 560 (1981) (declining to reach a subsequent issue when a primary issue is dispositive); see also *Ozawa v. Vision Airlines, Inc.*, 125 Nev. 556, 563, 216 P.3d 788, 793 (2009) (treating a party's failure to respond to an argument as a concession that the argument is meritorious).