

IN THE SUPREME COURT OF THE STATE OF NEVADA

K.J. BROWN, L.L.C., A NEVADA  
LIMITED LIABILITY COMPANY;  
TIMOTHY D. GILBERT AND NANCY  
AVANZINO GILBERT, AS TRUSTEES  
OF THE TIMOTHY D. GILBERT AND  
NANCY AVANZINO GILBERT  
REVOCABLE FAMILY TRUST DATED  
DECEMBER 27, 2013,

Appellants,

vs.

ELK POINT COUNTRY CLUB  
HOMEOWNERS' ASSOCIATION, INC.,  
A/K/A ELK POINT COUNTRY CLUB,  
INC., A NEVADA NON-PROFIT, NON-  
STOCK CORPORATION,

Respondent.

No. 82824

**FILED**

**AUG 27 2021**

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER DISMISSING APPEAL*

This is an appeal from the district court's order granting a motion to stay an injunction pending appeal. Ninth Judicial District Court, Douglas County; Nathan Tod Young, Judge.

Appellants are homeowners within the respondent subdivision. Appellants filed a civil action against respondent seeking in part to enjoin for-profit rental use of units. On December 15, 2020, the district court entered an order granting appellants' motion for a preliminary injunction. Respondent appealed the district court's order, and that appeal has been docketed in this court in Docket No. 82484. Pursuant to its appeal in Docket No. 82484, respondent filed a motion in the district court to stay or suspend the injunction pending resolution of that appeal. On March 15, 2021, the district court entered an order granting the stay. Appellants have appealed the order granting the stay pending appeal and, in response to this court's

order to show cause regarding jurisdiction, argue that the imposition of the stay has the effect of denying the injunction, thereby making it an independently appealable order. This court disagrees. No appeal lies from an order granting a stay pending appeal. Appellants may move for relief in regard to the stay of the injunction in the context of the appeal in Docket No. 82484, if deemed necessary. This court lacks jurisdiction over the order appealed from, and therefore

ORDERS this appeal DISMISSED.

  
\_\_\_\_\_, J.  
Cadish

  
\_\_\_\_\_, J.  
Pickering

  
\_\_\_\_\_, J.  
Herndon

cc: Hon. Nathan Tod Young, District Judge  
David Wasick, Settlement Judge  
Leach Kern Gruchow Anderson Song/Reno  
Fennemore Craig, P.C./Las Vegas  
Resnick & Louis, P.C./Las Vegas  
Douglas County Clerk