

IN THE SUPREME COURT OF THE STATE OF NEVADA

STUART SACKLEY, AN INDIVIDUAL;
DOUGLAS DASILVA, AN INDIVIDUAL;
AND SACKLEY FAMILY TRUST,
STUART SACKLEY AS TRUSTEE, A
TRUST,

Appellants,

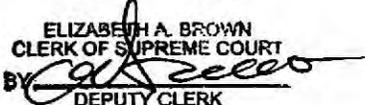
vs.

ILAN GORODEZKI, AN INDIVIDUAL,
Respondent.

No. 84083

FILED

FEB 18 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from findings of fact, conclusions of law, and a final order resolving the claims between the parties after a trial. Eighth Judicial District Court, Clark County; Christy L. Craig, Judge.

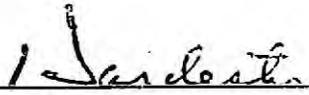
The order appealed from was entered March 30, 2021, with written notice of entry served electronically on April 9, 2021. Accordingly, the notice of appeal was due to be filed on or before May 10, 2021. NRCP 6; NRAP 4. Appellants filed the notice of appeal on January 10, 2022, well beyond the relevant appeal period, ostensibly pursuant to an “enlargement of time” granted to appellants by the district court on December 14, 2021.

Respondent has filed a motion to dismiss the appeal for lack of jurisdiction because the notice of appeal was untimely filed. Appellants have not opposed the motion to dismiss.¹ This court concludes that appellants concede the merit of respondent’s motion. *See Foster v. Dingwall*, 126 Nev. 56, 66, 227 P.3d 1042, 1049 (2010) (stating that this court may

¹Appellants have also failed to file the docketing statement as required by this court’s rules, NRAP 14, and its order of January 24, 2022.

construe the failure to oppose a motion as an admission that the motion is meritorious). This court lacks jurisdiction over this untimely appeal. See *Healy v. Volkswagenwerk Aktiengesellschaft*, 103 Nev. 329, 741 P.2d 432 (1987) (an untimely notice of appeal fails to vest jurisdiction in this court); *Walker v. Scully*, 99 Nev. 45, 46, 657 P.2d 94, 94 (1983) (the district court lacks authority to extend the time to file a notice of appeal). The motion to dismiss is granted, and this court

ORDERS this appeal DISMISSED.


_____, J.
Hardesty


_____, J.
Stiglich


_____, J.
Herndon

cc: Hon. Christy L. Craig, District Judge
Spencer M. Judd
Pintar Albiston LLP
Eighth District Court Clerk