


IN THE SUPREME COURT OF THE STATE OF NEVADA

EMILIANO PASILLAS; AND YVETTE
PASILLAS,
Appellants,
vs.
HSBC BANK USA., N.A., AS TRUSTEE
FOR LUMINENT MORTGAGE TRUST,
Respondents.

No. 86485
FILED
OCT 17 2023
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order denying an objection to a mediator's statement and request for the imposition of sanctions in a foreclosure mediation matter. Second Judicial District Court, Washoe County; Egan K. Walker, Judge.

This court's review of this appeal reveals a jurisdictional defect. Specifically, the district court's order is not appealable as a final judgment. Nevada Foreclosure Mediation Rule (FMR) 24 provides that appeals of district court decisions in foreclosure mediation matters "will follow appropriate civil appeals processes." NRAP 3A(b)(1) allows appeals from final judgments in civil actions. A final, appealable judgment in a civil action "is one that disposes of all the issues presented in the case, and leaves nothing for the future consideration of the court, except for post-judgment issues such as attorney's fees and costs." *Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000).


Here, the challenged order denies appellants' objection to the mediator's statement and request for sanctions. As appellants concede in

their docketing statement and motion to establish jurisdiction,¹ however, the district court's order does not dismiss the mediation petition, direct issuance of a certificate allowing foreclosure, or otherwise finally resolve the petition. Thus, appellants have not demonstrated that the challenged order is appealable as a final judgment. *See Moran v. Bonneville Square Assocs.*, 117 Nev. 525, 527, 25 P.3d 898, 899 (2001) (“[T]he burden rests squarely upon the shoulders of a party seeking to invoke our jurisdiction to establish, to our satisfaction, that this court does in fact have jurisdiction.”). Further, it does not appear that the challenged order is otherwise appealable. *See Brown v. MHC Stagecoach, LLC*, 129 Nev. 343, 345, 301 P.3d 850, 851 (2013) (this court “may only consider appeals authorized by statute or court rule”). Accordingly, this court

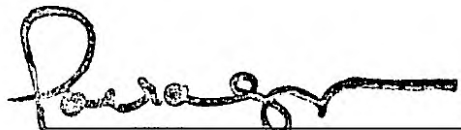
ORDERS this appeal DISMISSED.


_____, J.

Herndon


_____, J.

Lee


_____, J.

Parraguirre

cc: Hon. Egan K. Walker, District Judge
Thomas J. Tanksley, Settlement Judge
Doyle Law Office, PLLC
McCarthy & Holthus, LLP/Las Vegas
Washoe District Court Clerk

¹Appellants' September 19, 2023, motion to establish jurisdiction is denied for the reasons set forth in this order. Appellants' September 19, 2023, motion to extend time to file the opening brief is denied as moot.