

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM ZEDDIES; AND CHRISTINA
ZEDDIES, HUSBAND AND WIFE,
Appellants,

vs.

THE CROSSING HOMEOWNERS
ASSOCIATION, INC., A NEVADA
NONPROFIT CORPORATION,
Respondent.

WILLIAM ZEDDIES; AND CHRISTINA
ZEDDIES, HUSBAND AND WIFE,
Appellants,

vs.

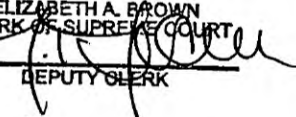
THE CROSSING HOMEOWNERS
ASSOCIATION, INC., A NEVADA
NONPROFIT CORPORATION,
Respondent.

No. 86363

No. 86768 ✓

FILED

APR 16 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL AND REINSTATING BRIEFING

These consolidated appeals challenge a district court order granting summary judgment (Docket No. 86363) and a district court order granting attorney's fees and costs (Docket No. 86768). Eighth Judicial District Court, Clark County; Maria A. Gall, Judge.

When initial review of the docketing statement and documents before this court revealed a potential jurisdictional defect, this court ordered the parties to show cause why the appeal in Docket No. 86363 should not be limited to the injunctive relief issue and why the appeal in Docket No. 86768 should not be dismissed in its entirety for lack of jurisdiction. Specifically, the motion granting summary judgment for respondent made no mention of

awarding the damages requested, and an award of damages (assuming the plaintiff prevails on a claim seeking damages) is a necessary component of a final judgment. *See Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000) (reiterating that “a final judgment 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”). Further, as the summary judgment order did not appear to be a final judgment, there could be no appeal of the order awarding attorney’s fees and costs as a special order after final judgment. *See* NRAP 3A(b)(8); *Gumm v. Mainor*, 118 Nev. 912, 919, 59 P.3d 1220, 1225 (2002).


In response, appellants concede that the order granting summary judgment is not a final judgment and that this court does not have jurisdiction over the appeals outside of the injunctive relief issue. Respondent argues that the district court’s order summarily adjudicated all the claims at issue in this case. However, as respondent prevailed on claims seeking damages, an award of damages is necessary for the order to be a final judgment. *See Lee*, 116 Nev. at 426, 996 P.2d at 417. Accordingly, this court dismisses the appeal in Docket No. 86363, except as to the injunctive relief issue, and dismisses the appeal in Docket No. 86768 in its entirety.¹ Appellants’ request that the district court judge be recused is denied.


Briefing in Docket No. 86363, as it pertains to the injunctive relief issue only, is reinstated as follows. Appellants shall have 90 days from the date of this order to file and serve the opening brief and appendix. Thereafter, briefing shall proceed in accordance with NRAP 31(a)(1). Failure to timely file and serve the opening brief and appendix may result

¹Appellants may file a new notice of appeal once the district court enters an order resolving damages.

in the imposition of sanctions, including the dismissal of the appeal. NRAP 31(d)(1).

It is so ORDERED.


_____, J.
Herndon


_____, J.
Lee


_____, J.
Bell

cc: Hon. Maria A. Gall, District Judge
Thomas J. Tanksley, Settlement Judge
Law Office of Malik W. Ahmad
Gibbs Giden Locher Turner Senet & Wittbrodt LLP/Las Vegas
Eighth District Court Clerk