

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES F. SEELEY, AN INDIVIDUAL;
AND JBC DRYWALL, INC., A
CALIFORNIA CORPORATION,
Appellants,

vs.

STAR INSURANCE COMPANY, A
MICHIGAN CORPORATION;
MEADOWBROOK, INC.;
MEADOWBROOK OF NEVADA, INC.;
GEORGE L. BROWN INSURANCE
AGENCY, INC., A NEVADA
CORPORATION; TERRI ALSOP, AN
INDIVIDUAL; AND ASCENTRA
INSURANCE AGENCY, INC.,
Respondents.

No. 46008

FILED

APR 19 2006

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from an order granting summary judgment in favor of George L. Brown Insurance Agency, Inc., (Brown) and Terri Alsop as to the claims for relief asserted by James F. Seeley and JBC Drywall, Inc. Eighth Judicial District Court, Clark County; Jessie Elizabeth Walsh, Judge.

Because our preliminary review of this appeal revealed a potential jurisdictional defect, this court ordered appellants to show cause why this appeal should not be dismissed for lack of jurisdiction. Specifically, it appeared that the order appealed from was not substantively appealable.¹ To date, appellants have failed to respond to the order to show cause.

¹See NRAP 3A(b).

We have reviewed the docketing statement and the documents submitted pursuant to NRAP 3(e) and we conclude that this court lacks jurisdiction to consider this appeal. An order that resolves less than all of the rights and liabilities of all the parties in an action is not appealable as a final judgment absent proper NRCP 54(b) certification by the district court.² Although the order challenged on appeal granted summary judgment in favor of Brown and Alsop as to the claims for relief asserted by James F. Seeley and JBC Drywall, Inc., the order did not resolve all of the rights and liabilities of the parties in the action below, and it appears the district court did not certify the judgment as final pursuant to NRCP 54(b). Accordingly, we conclude that this court lacks jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

Douglas, J.
Douglas

Becker, J.
Becker

Parraguirre, J.
Parraguirre

²See Lee v. GNLV Corp., 116 Nev. 424, 996 P.2d 416 (2000); Rae v. All American Life & Cas. Co., 95 Nev. 920, 605 P.2d 196 (1979).

cc: Hon. Jessie Elizabeth Walsh, District Judge
William F. Buchanan, Settlement Judge
Law Offices of Steven J. Parsons
Berman, Berman & Berman, LLP
Hall Jaffe & Clayton, LLP
Laxalt & Nomura, Ltd./Las Vegas
Rawlings Olson Cannon Gormley & Desruisseaux
Clark County Clerk