

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD PLANTAN,
Appellant,
vs.
MICHAEL R. LEKAR; ETHIMIA E.
LEKAR; MICHAEL LEKAR AS
TRUSTEE OF CADIDA TRUST; AND
JAMES OWENS,
Respondents.

No. 46596

FILED

AUG 18 2006

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. R. [Signature]*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

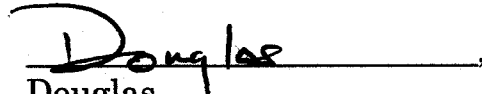
This is an appeal from a district court order dismissing a contract action and granting a motion to set aside a default judgment. Eighth Judicial District Court, Clark County; Sally L. Loehrer, Judge.

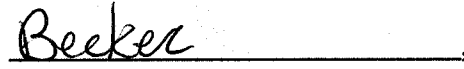
When our preliminary review of the documents submitted to this court pursuant to NRAP 3(e) revealed potential jurisdiction defects, we directed appellant to show cause why this court had jurisdiction to consider this appeal. Specifically, it appeared that counterclaims involving defendant James Owens remained pending below and that the portion of the district court order concerning setting aside the entry of default did not appear substantively appealable.


On August 10, 2006, in response to our show cause order, appellant conceded that his notice of appeal was prematurely filed and that this court lacks jurisdiction to consider this appeal. Appellant asks this court to dismiss the appeal. Accordingly, as we lack jurisdiction to

consider this appeal, we dismiss it. Once the district court enters a final, written order, appellant may appeal if he is aggrieved.¹

It is so ORDERED.

 J.
Douglas

 J.
Becker

 J.
Parraguirre

cc: Hon. Sally L. Loehrer, District Judge
Howard Roitman, Settlement Judge
Jeffrey A. Cogan
Sigal Chattah
Harmon & Davies, P.C.
Mushkin, Hafer, Rasmussen & Singer
Clark County Clerk

¹See NRAP 3A(a); NRAP 4(a)(1).