

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN E. TAYLOR, JR.,
Appellant,
vs.
DV&G CORPORATION, A NEVADA
CORPORATION,
Respondent.

No. 49638

FILED

MAY 09 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER VACATING DISTRICT COURT'S ORDER
GRANTING PARTIAL SUMMARY JUDGMENT


This is an appeal from a district court order granting partial summary judgment in a lease dispute. Second Judicial District Court, Washoe County; Patrick Flanagan, Judge.

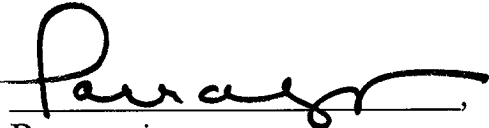
On February 11, 2008, this court directed respondent to show cause why the district court's order granting partial summary judgment should not be summarily vacated in light of this court's decision in SFPP, L.P. v. Dist. Ct.¹ After reviewing respondent's response, we conclude that the district court's May 4, 2007 order granting partial summary judgment was improperly entered, as the district court, after having entered a final judgment in that case, lacked jurisdiction to reopen a case absent a proper

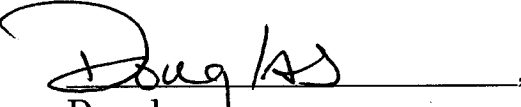
¹123 Nev. ___, 173 P.3d 715 (2007).

and timely motion under Nevada Rules of Civil Procedure.² Accordingly, we order the district court's order granting partial summary judgment vacated.

It is so ORDERED.


_____, J.
Maupin


_____, J.
Parraguirre


_____, J.
Douglas

cc: Hon. Patrick Flanagan, District Judge
Robert Eisenberg, Settlement Judge
Molof & Vohl
Jenkins & Carter
Washoe District Court Clerk

²Id. at __, 173 P.3d at 717, citing Greene v. District Court, 115 Nev. 391, 394-95, 990 P.2d 184, 186 (1999).