

IN THE SUPREME COURT OF THE STATE OF NEVADA

MAULIDI BELL,
Appellant,
vs.
AMERICAN FAMILY MUTUAL
INSURANCE CO.,
Respondent.

No. 53321

FILED

JUN 10 2009
TRACIE H. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DISMISSING APPEAL

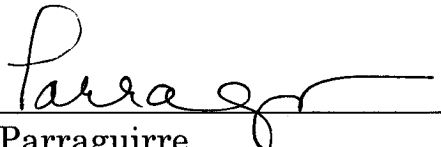
This is an appeal from a district court order granting respondent's motion for summary judgment against appellant and denying appellant's countermotion for summary judgment. Eighth Judicial District Court, Clark County; Michael Villani, Judge.

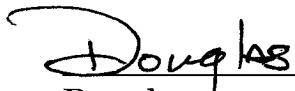
Respondent American Family Mutual Insurance Co. filed a motion to dismiss this appeal for lack of jurisdiction, asserting that the January 14, 2009, district court order granting its motion for summary judgment and denying appellant Maulidi Bell's motion for summary judgment is not a final, appealable judgment. Specifically, American Family maintains that in the January 14 order, the district court did not rule on American Family's declaratory relief request against another party in the litigation and that the court has yet to rule on that matter. Although Bell filed an opposition to the motion to dismiss, Bell does not dispute American Family's assertion, instead maintaining that she will refile her appeal once all matters in the litigation are addressed by the district court.

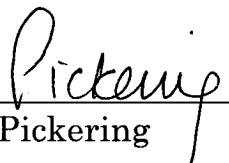
Accordingly, it appears that the district court's January 14 judgment is not final, inasmuch as it did not resolve all of the issues before

the court. See Lee v. GNLV Corp., 116 Nev. 424, 996 P.2d 416 (2000). Because the judgment is not a final, appealable judgment, we lack jurisdiction to consider this appeal. See NRAP 3A(b)(1); KDI Sylvan Pools v. Workman, 107 Nev. 340, 343, 810 P.2d 1217, 1219-20 (1991). Accordingly, we grant American Family's motion, and we

ORDER this appeal dismissed.

_____, J.
Parraguirre

_____, J.
Douglas

_____, J.
Pickering

cc: Hon. Michael Villani, District Judge
Christensen Law Offices, LLC
Prince & Keating, LLP
Eighth District Court Clerk