

IN THE SUPREME COURT OF THE STATE OF NEVADA

DESIREE WHITE, INDIVIDUALLY,
AND AS SPECIAL ADMINISTRATOR
FOR THE ESTATE OF YOLANDA
CARRILLO, DECEASED; TAMARA
HARLESS, AS SPECIAL
ADMINISTRATOR FOR THE ESTATE
OF YOLANDA CARRILLO, DECEASED;
PATRICIA MESA, DAUGHTER OF
YOLANDA CARRILLO; AND
ERNESTINA HUYNH, DAUGHTER OF
YOLANDA CARRILLO,
Appellants,
vs.
MICHAEL SEIFF, M.D., AN
INDIVIDUAL,
Respondent.

No. 55112

FILED

MAY 07 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *A. Ingersoll*
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court judgment after a jury trial in a medical malpractice action and an order denying a new trial. Eighth Judicial District Court, Clark County; Valorie Vega, Judge.

On March 12, 2010, this court entered an order directing appellants to show cause, within 30 days, why this appeal should not be dismissed for lack of jurisdiction. In our show cause order, we pointed out that the claims against defendant Thomas T. Lee, M.D., appeared to remain pending, as no district court order formally resolving those claims had been entered.¹ Thus, because not all of the claims and issues between

¹Indeed, in responding to docketing statement questions 21 and 22, which, respectively, require appellants to (1) list all parties to the district court action and explain why any of those parties are not parties to the appeal; and (2) explain all claims, their disposition, their date of
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all of the parties to the action had been resolved, the November 17, 2009, judgment on the jury verdict ostensibly was not appealable as a final judgment. See NRAP 3A(b)(1); Lee v. GNLV Corp., 116 Nev. 424, 996 P.2d 416 (2000). In the show cause order, we cautioned appellants that failure to demonstrate this court's jurisdiction could result in the dismissal of this appeal.

To date, appellants have failed to respond to our order to show cause. Because appellants have failed to demonstrate that the claims against Lee no longer remain pending below, such that a final judgment has been entered, we conclude that we lack jurisdiction over this appeal, NRAP 3A(b)(1) and (2); Reno Hilton Resort Corp. v. Verderber, 121 Nev. 1, 106 P.3d 134 (2005), and

ORDER this appeal DISMISSED.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Pickering, J.
Pickering

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disposition, and how they were resolved, and attach a copy of the disposition, appellants' counsel failed to mention the claims against several defendants, including Lee. And in docketing statement question 17, counsel failed to identify any tolling motions, providing merely "N/A," even though a motion for new trial apparently was filed. While it appears that the claims against all of those other defendants were resolved on May 22, 2009, except for the claims against Lee, and that the potential tolling motion has been resolved, we caution counsel that inaccurate docketing statements are grounds for sanctions.

cc: Hon. Valorie Vega, District Judge
Thomas J. Tanksley, Settlement Judge
Christensen Law Offices, LLC
Lemons, Grundy & Eisenberg
Lewis Brisbois Bisgaard & Smith, LLP
Eighth District Court Clerk