

IN THE SUPREME COURT OF THE STATE OF NEVADA

JMA ARCHITECTS, INC., A
NEVADA CORPORATION,
Appellant,

vs.

VESTIN REALTY MORTGAGE I,
INC., A FOREIGN CORPORATION;
VESTIN REALTY MORTGAGE II,
INC., A FOREIGN CORPORATION;
AND VESTIN FUND III, LLC, A
NEVADA LIMITED LIABILITY
COMPANY,
Respondents.

No. 55355

FILED

APR 07 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY J. Chapp
DEPUTY CLERK

ORDER OF AFFIRMANCE

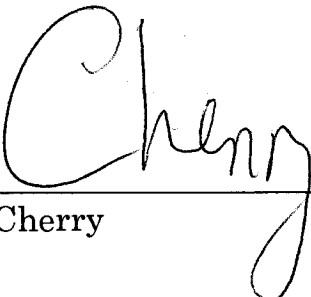
This is an appeal from a district court summary judgment in a lien priority action.¹ Eighth Judicial District Court, Clark County; Timothy C. Williams, Judge.

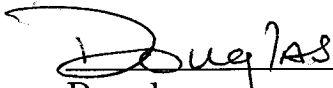
Having reviewed the parties' briefs, respondents' supplemental authority, and the appendix, we affirm the judgment of the district court. The district court properly concluded that construction had not commenced on the subject properties at the time the deeds of trust were recorded because there was no visible on-site work, and therefore, appellant did not have lien priority over respondents' deeds of trust. See NRS 108.225; NRS 108.22112; J.E. Dunn Nw. v. Corus Constr. Venture,

¹Pursuant to NRAP 34(f)(1), we have determined that oral argument is not warranted in this appeal.

127 Nev. ___, ___ P.3d ___ (Adv. Op. No. 5, March 3, 2011). Accordingly,
we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Cherry


_____, C.J.
Douglas


_____, J.
Gibbons

cc: Hon. Timothy C. Williams, District Judge
Craig A. Hoppe, Settlement Judge
Marquis & Aurbach
Bremer Whyte Brown & O'Meara, LLP
Early Sullivan Wright Gizer & McRae, LLP
Kemp, Jones & Coulthard, LLP
Eighth District Court Clerk