

IN THE SUPREME COURT OF THE STATE OF NEVADA

DORRELL SQUARE HOMEOWNERS
ASSOCIATION, A NEVADA NON-
PROFIT CORPORATION, ON BEHALF
OF ITSELF AND ITS MEMBERS,
Appellant,

vs.

D.R. HORTON, INC., A DELAWARE
CORPORATION; BCI BEBOUT
CONCRETE OF NEVADA, LLC, A
NEVADA CORPORATION; BRAVO
UNDERGROUND, INC., A NEVADA
CORPORATION; SIGNAL GATES, INC.,
A NEVADA CORPORATION;
SOUTHERN NEVADA PAVING, INC., A
NEVADA CORPORATION; SUNSTATE
COMPANIES, INC., A NEVADA
CORPORATION; AND W.I.T. BRO,
INC., A NEVADA CORPORATION
D/B/A A & A ASPHALT PAVING,
Respondents.

No. 55798

FILED

JUL 20 2010

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

ORDER DISMISSING APPEAL

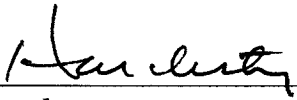
This is an appeal from a district court order denying class certification and dismissing claims as to the putative class. Eighth Judicial District Court, Clark County; Susan Johnson, Judge.

Based on our preliminary review of the docketing statement and the NRAP 3(g) documents, we ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction, pointing out that the district court had not entered a final written, appealable judgment. NRAP 3A(b)(1); Lee v. GNLV Corp., 116 Nev. 424, 996 P.2d 416 (2000). The following day, respondents moved to dismiss the appeal, citing the same jurisdictional defect noted in our order to show cause.


Appellant filed a timely response to our show cause order, a notice of non-opposition to respondents' motion to dismiss, and a notice of withdrawal of the appeal, in all of which appellant concedes that this court lacks jurisdiction.¹

As we lack jurisdiction, we grant the motions to dismiss, with each party to bear its own fees and costs. Accordingly, we

ORDER this appeal DISMISSED.


_____, J.
Hardesty


_____, J.
Douglas


_____, J.
Pickering

cc: Hon. Susan Johnson, District Judge
Lansford W. Levitt, Settlement Judge
James R. Christensen
Maddox, Isaacson & Cisneros, LLP
Kring & Chung
Marquis & Aurbach
Meyers McConnell
Springel & Fink
Wilson, Elser, Moskowitz, Edelman & Dicker, LLP
Eighth District Court Clerk

¹We construe appellant's June 3, 2010, notice of withdrawal as a motion to voluntarily dismiss this appeal. NRAP 42(b).