

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOAN S. HAMPTON,
Appellant,

vs.

AMERICAN HOME MORTGAGE
CORPORATION D/B/A AMERICAN
BROKERS CONDUIT, A NEW YORK
CORPORATION; AMERICAN HOME
MORTGAGE SERVICING, INC., A
TEXAS CORPORATION; MORTGAGE
ELECTRONIC REGISTRATION
SYSTEMS, INC., A CALIFORNIA
CORPORATION; AND FIDELITY
NATIONAL TITLE INSURANCE
COMPANY, A CALIFORNIA
CORPORATION,
Respondents.

No. 55821

FILED

JUN 10 2010

TRACE K. LINDEMAN
CLERK OF SUPREME COURT
BY J. J. [Signature]
DEPUTY CLERK

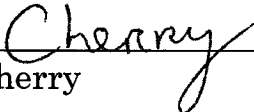
ORDER DISMISSING APPEAL


This is a proper person appeal from a district court order dismissing appellant's complaint as to certain defendants. Eighth Judicial District Court, Clark County; Jessie Elizabeth Walsh, Judge.

Our review of the documents before us on appeal reveals a jurisdictional defect. Specifically, it appears that the order appellant is challenging is not a final, appealable judgment. See NRAP 3A(b)(1) (providing for an appeal from a final judgment in an action or proceeding). A final judgment is one that disposes of all issues presented in the case, and leaves nothing for the future consideration of the district court, except for post-judgment issues such as attorney fees and costs. Lee v. GNLV Corp., 116 Nev. 424, 996 P.2d 416 (2000). Here, the documents before this court indicate that appellant's claims against American Home Mortgage Corporation, d/b/a American Brokers Conduit, have not been formally

resolved by the district court.¹ Accordingly, as it appears that a final judgment has not been entered in the underlying case, we lack jurisdiction to consider this appeal and we

ORDER this appeal DISMISSED.²

_____, J.
Cherry

_____, J.
Saitta

_____, J.
Gibbons

cc: Hon. Jessie Elizabeth Walsh, District Judge
Joan S. Hampton
Brooks Bauer LLP
Eighth District Court Clerk

¹The order appealed from dismissed appellant's claims against American Home Mortgage Servicing, Inc., and Mortgage Electronic Registration Systems, Inc., and the district court docket entries reflect that an order was entered granting Fidelity National Title Insurance Company's motion to dismiss, but neither the docket entries nor the minutes reflect any disposition as to American Home Mortgage Corporation, d/b/a American Brokers Conduit.

²We deny as moot in light of this order appellant's motion for a stay. We also deny the motion to dismiss filed by respondents American Home Mortgage Servicing, Inc., and Mortgage Electronic Registration Systems, Inc.; notably, a motion pursuant to NRCP 60(b) for relief from judgment is not a tolling motion, see NRAP 4(a)(4) (listing specific motions that toll the time to file a notice of appeal); Chapman Industries v. United Insurance, 110 Nev. 454, 458, 874 P.2d 739, 742 (1994), and accordingly, the jurisdictional defect does not arise from the NRCP 60(b) motion pending in the district court.