

IN THE SUPREME COURT OF THE STATE OF NEVADA

PAUL ROSHETKO,  
Appellant,  
vs.  
HERBST GAMING, INC.,  
Respondent.

No. 56006

**FILED**

DEC 09 2010

TRACEY K. LINDEMAN  
CLERK OF SUPREME COURT  
BY: *[Signature]*  
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order denying a motion to confirm an arbitration award, granting a motion to vacate the award, and directing rehearing. Eighth Judicial District Court, Clark County; Susan Johnson, Judge.

When our preliminary review of the docketing statement and the NRAP 3(g) documents revealed a potential jurisdictional defect, we ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. Specifically, it appeared that the order designated in the notice of appeal was not substantively appealable under NRS 38.247, as that statute was interpreted in Karcher Firestopping v. Meadow Valley Contractors, 125 Nev. \_\_\_, 204 P.3d 1262 (2009).

After reviewing the parties' timely responses to our show cause order and considering the arguments regarding Karcher Firestopping, we conclude that we lack jurisdiction over this appeal. Accordingly, we

ORDER this appeal DISMISSED.

*Cherry*  
\_\_\_\_\_, J.  
Cherry

*Saitta*  
\_\_\_\_\_, J.  
Saitta

*Gibbons*  
\_\_\_\_\_, J.  
Gibbons

cc: Hon. Susan Johnson, District Judge  
Eva Garcia-Mendoza, Settlement Judge  
Law Office of Daniel Marks  
Jones Vargas/Las Vegas  
Eighth District Court Clerk  
Norma Ramirez, Court Reporter