

IN THE SUPREME COURT OF THE STATE OF NEVADA

PEAKE DEVELOPMENT, INC., A
NEVADA CORPORATION; AND SIERRA
ASSOCIATED INVESTMENTS, LLC, A
NEVADA LIMITED LIABILITY
COMPANY,

Appellants,

vs.

R.B. PROPERTIES, INC., A NEVADA
CORPORATION; SOUTHPOINTE
PROPERTIES, INC., A NEVADA
CORPORATION; AND MARINER'S
VIEW, LLC, A NEVADA LIMITED
LIABILITY COMPANY,

Respondents.

No. 56118

FILED

NOV 13 2010

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

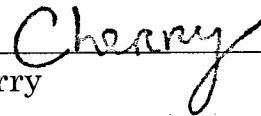
ORDER DISMISSING APPEAL


This is an appeal from a district court summary judgment, purportedly certified as final under NRCP 54(b). Eighth Judicial District Court, Clark County; Timothy C. Williams, Judge.

In their timely response to this court's September 30, 2010, order to show cause, appellants concede that the district court has not entered a final, appealable judgment in the matter below and that the court did not properly certify its summary judgment as final under NRCP 54(b). NRAP 3A(b)(1); Lee v. GNLV Corp., 116 Nev. 424, 996 P.2d 416

(2000); Aldabe v. Evans, 83 Nev. 135, 425 P.2d 598 (1967). Accordingly, we lack jurisdiction and therefore

ORDER this appeal DISMISSED.¹

 _____, J.
Cherry

 _____, J.
Saitta

 _____, J.
Gibbons

cc: Hon. Timothy C. Williams, District Judge
Robert F. Saint-Aubin, Settlement Judge
Carbajal & McNutt, LLP
Black & LoBello
Thorndal Armstrong Delk Balkenbush & Eisinger/Las Vegas
Eighth District Court Clerk

¹Nothing in this order precludes appellants from appealing from the final judgment in this matter, once it is entered.