

IN THE SUPREME COURT OF THE STATE OF NEVADA

CONNIE MCDONALD,  
Appellant,  
vs.  
VIJAY GOLI, M.D., INDIVIDUALLY;  
LAS VEGAS UROLOGY, LLP, A  
NEVADA LIMITED LIABILITY  
PARTNERSHIP; AND SOHEIL  
GORAVANCHI, D.O., INDIVIDUALLY,  
Respondents.

No. 56669

**FILED**

**MAY 02 2011**

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

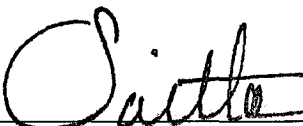
ORDER DISMISSING APPEAL


This is an appeal from a district court order dismissing appellant's complaint in a medical malpractice action. Eighth Judicial District Court, Clark County; Kathy A. Hardcastle, Judge.

The underlying proceeding included Specialty Surgery Center, LLC, as a defendant. It appeared, however, that the district court's July 20, 2010, order granting respondents' motion to dismiss did not dismiss the claims against Specialty Surgery Center. Nor was there any indication from the district court docket entries that appellant's claim against Specialty Surgery Center had been formally resolved. See Valley Bank of Nevada v. Ginsburg, 110 Nev. 440, 874 P.2d 729 (1994). Thus, because the July 20 judgment appeared to resolve fewer than all of the claims and issues between all of the parties in this action, the July 20 judgment ostensibly was not appealable as a final judgment. See Lee v. GNLV Corp., 116 Nev. 424, 996 P.2d 416 (2000); Rae v. All American Life & Cas. Co., 95 Nev. 920, 605 P.2d 196 (1979). Accordingly, we ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction.

To date, appellant has not filed a response to our order or otherwise communicated with this court. We elect to treat appellant's failure to respond to our order to show cause as an admission that this court lacks jurisdiction over this appeal. Cf. King v. Cartlidge, 121 Nev. 926, 928, 124 P.3d 1161, 1162 (2005) (stating that the district court has discretion to consider the failure to oppose a motion as an admission of merit and as consent to granting the motion). Accordingly, as we lack jurisdiction, we

ORDER this appeal DISMISSED.

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

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Parraguirre

cc: Hon. Kathy A. Hardcastle, District Judge  
M. Nelson Segel, Settlement Judge  
Blalock & Qualey  
Bonne, Bridges, Mueller, O'Keefe & Nichols  
Law Office of Arthur W. Tuverson  
Eighth District Court Clerk