

IN THE SUPREME COURT OF THE STATE OF NEVADA

No. 35209

BRENDA J. AULD AND JAMES C. AULD,

Appellants,

vs.

C.H.R.H. LIMITED, A NEVADA LIMITED
LIABILITY COMPANY, D/B/A
SUMMERWOOD HOMES, AND HUTCHINGS
AND ASSOCIATES REAL ESTATE,

Respondents.

FILED

JUN 13 2000

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richard*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order denying a motion to dismiss a defamation action under NRS 41.660(1). Our preliminary review of the documents transmitted to this court pursuant to NRAP 3(e) revealed a potential jurisdictional defect. Specifically, an order denying a motion to dismiss is not substantively appealable. See NRAP 3A(b)(2). On April 11, 2000, we ordered appellants to show cause why this appeal should not be dismissed for lack of jurisdiction.

Appellants' response was due on May 11, 2000. NRAP 26(c). To date, appellants have not responded. Cause appearing, we construe appellants' failure to respond as a concession that jurisdiction is lacking, and we hereby

ORDER this appeal dismissed.

Maupin

Maupin

J.

Shearing

Shearing

J.

Becker

Becker

J.

cc: Hon. Archie E. Blake, District Judge
Carucci, Bowers & Thomas
R. Scott Jamieson
Lyon County Clerk