

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM E. RIGOR,  
Appellant,  
vs.  
SASCO MORTGAGE; AND AMERICA'S  
SERVICING CORPORATION,  
Respondents.

No. 59719

**FILED**

**MAY 10 2012**

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

ORDER OF AFFIRMANCE

This is a proper person appeal from a district court order granting a petition for judicial review in a foreclosure mediation action. Eighth Judicial District Court, Clark County; Donald M. Mosley, Judge.

Appellant contends that because the district court's order to show cause did not name him in the caption, the district court lacked authority to address appellant's rights to the property, and this court should remand the matter for an evidentiary hearing to permit appellant to dispute the issuance of the foreclosure certificate. We disagree. The petition for judicial review filed by respondent seeking to obtain a certificate in accordance with the agreement that the parties reached at mediation properly named appellant in the caption, was mailed to his last known address, and properly placed the matter before the district court.<sup>1</sup> FMR 21(1) (authorizing a petition for judicial review to enforce foreclosure

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<sup>1</sup>Moreover, the show cause order was mailed to appellant and his wife at their last known addresses.


mediation agreements); see NRC 5(b)(2)(B) (permitting service by mail); NRC 10(a) (setting forth requirements of the caption in pleadings).

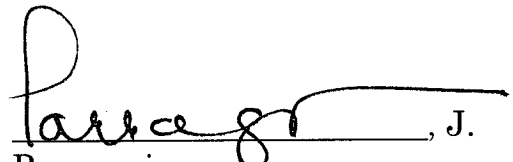
At the mediation, the parties reached an agreement to attempt a short sale, specifically permitting the foreclosure to proceed if no short sale could be reached. No short sale was reached. Thus, it was not erroneous for the district court to order the issuance of a certificate to allow the foreclosure to proceed. See Jones v. SunTrust Mortgage, Inc., 128 Nev. \_\_\_, \_\_\_ P.3d \_\_\_ (Adv. Op. No. 18, April 26, 2012).

Accordingly, we

ORDER the judgment of the district court AFFIRMED.

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

  
\_\_\_\_\_, J.  
Pickering

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

cc: Hon. Donald M. Mosley, District Judge  
William E. Rigor  
McCarthy & Holthus, LLP/Las Vegas  
Eighth District Court Clerk