

IN THE SUPREME COURT OF THE STATE OF NEVADA

MIRIAM HERNANDEZ-ALVAREZ,
INDIVIDUALLY; AND JONATHAN
PAZ, INDIVIDUALLY AND AS
HUSBAND AND WIFE,
Appellants,
vs.
PING YAN, INDIVIDUALLY,
Respondent.

No. 60051

FILED

NOV 21 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY R. Malone
DEPUTY CLERK


ORDER REVERSING AND REMANDING


This is an appeal from a district court order dismissing a tort action for failure to timely serve process. Eighth Judicial District Court, Clark County; Elissa F. Cadish, Judge.


Having considered appellants' arguments and the appendix on appeal, we conclude that the district court abused its discretion by denying the motion for an extension of time and dismissing the complaint because appellants demonstrated good cause for failing to timely serve process. *See* NRCP 4(i) (requiring the district court to dismiss an action if the plaintiff fails to serve process within 120 days of filing the complaint and does not demonstrate good cause for its failure to do so).

Accordingly, we

ORDER the judgment of the district court REVERSED AND REMAND this matter to the district court for proceedings consistent with this order.


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Saitta

cc: Hon. Elissa F. Cadish, District Judge
Glen J. Lerner & Associates
Ping Yan
Eighth District Court Clerk