

IN THE SUPREME COURT OF THE STATE OF NEVADA

VINCE HESSER, INDIVIDUALLY,  
Appellant,  
vs.  
HERMAN AHLERS AND AS TRUSTEE  
OF THE AHLERS FAMILY TRUST,  
Respondents.

No. 60839

FILED

FEB 05 2013

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *A. Anger*  
DEPUTY CLERK

ORDER DISMISSING APPEAL

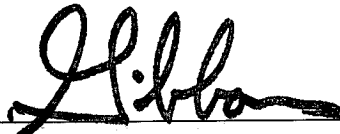
This is an appeal from a district court order denying reconsideration and a district court summary judgment. Eighth Judicial District Court, Clark County; Susan Scann, Judge.

In timely response to this court's December 5, 2012, order to show cause why this appeal should not be dismissed for lack of jurisdiction, appellant concedes that no final judgment has been entered, as claims against OneCap Mortgage and Bullhead 117 LLC remain pending, and he seeks to voluntarily dismiss this appeal as a result. Accordingly, as we lack jurisdiction, NRAP 3A(b)(1); Lee v. GNLV Corp., 116 Nev. 424, 996 P.2d 416 (2000) (explaining that a final judgment is one that resolves all of the claims and issues in the case, except for post-judgment issues such as attorney fees and costs); Alvis v. State, Gaming Control Bd., 99 Nev. 184, 660 P.2d 980 (1983) (recognizing that orders denying reconsideration are not substantively appealable), disapproved on

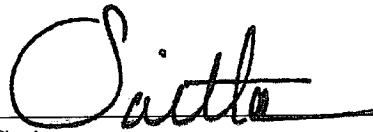
13-03715

other grounds by AA Primo Builders v. Washington, 126 Nev. \_\_\_, 245 P.3d 1190 (2010), we grant appellant's request and

ORDER this appeal DISMISSED.<sup>1</sup>

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

  
\_\_\_\_\_, J.  
Douglas

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

cc: Hon. Susan Scann, District Judge  
Janet Trost, Settlement Judge  
Harold P. Gewerter, Esq., Ltd.  
Law Offices of Shawn R. Perez  
Eighth District Court Clerk

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<sup>1</sup>Nothing in this order precludes appellant, if aggrieved, from filing a new notice of appeal from a final judgment resolving all of the claims and issues in the case.