

IN THE SUPREME COURT OF THE STATE OF NEVADA

CENTER OF HOPE CHRISTIAN  
FELLOWSHIP, LOCAL, CHURCH OF  
GOD IN CHRIST, A DOMESTIC NON-  
PROFIT NEVADA CORPORATION,  
Appellant,  
vs.  
DCR REAL ESTATE III SUB I, LLC, A  
DELAWARE LIMITED LIABILITY  
COMPANY,  
Respondent.

No. 62367

**FILED**

JUN 11 2013

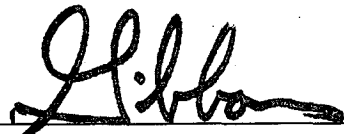
TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *Tracie K. Lindeman*  
DEPUTY CLERK

*ORDER DISMISSING APPEAL*


This is an appeal from a district court judgment of restitution in an unlawful detainer action. Second Judicial District Court, Washoe County; Brent T. Adams, Judge.

When our preliminary review of the docketing statement and the NRAP 3(g) documents revealed a potential jurisdictional defect, on April 9, 2013, we directed appellant to, within 30 days, show cause why this appeal should not be dismissed for lack of jurisdiction. Specifically, we noted that NRS 40.360 provides for judgments of restitution, which, under subsection 2, are to include any damages for waste and rent. Here, the appealed judgment appeared to resolve respondent's claim for restitution and, implicitly, appellant's counterclaims. Respondent also sought damages and/or rent, however, but no monetary amounts were awarded or denied in the judgment. As a result, it appeared that the judgment did not resolve respondent's claim for damages and/or rent and, thus, that the judgment did not finally resolve respondent's unlawful detainer claim such that it is appealable under NRS 40.380. *See also* NRAP 3A(b)(1) (providing for appeals from final judgments).

To date, appellant has failed to respond to our order to show cause or to otherwise demonstrate that this court has jurisdiction to consider this appeal. Accordingly, it appears we lack jurisdiction, and we ORDER this appeal DISMISSED.

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

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

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

cc: Hon. Brent T. Adams, District Judge  
Jill I. Greiner, Settlement Judge  
Tory M. Pankopf  
Gordon Silver/Reno  
Washoe District Court Clerk