

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARTIN CENTENO,
Appellant,
vs.
MONTESA, LLC,
Respondent.

No. 62506

FILED

DEC 12 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF REVERSAL AND REMAND

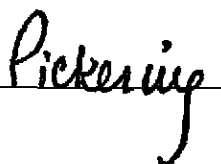
This is a proper person appeal from a district court order granting a motion to dismiss in a quiet title action. Eighth Judicial District Court, Clark County; Rob Bare, Judge.

The district court granted respondent's motion to dismiss, finding that appellant had failed to state a viable claim for relief because NRS 116.3116(2)'s superpriority provision does not extinguish a first security interest. This court's recent disposition in *SFR Investments Pool 1, LLC v. U.S. Bank, N.A.*, 130 Nev. ___, 334 P.3d 408 (2014), decides that a common-interest community association's NRS 116.3116(2) superpriority lien has true priority over a first security interest, and the association may nonjudicially foreclose on that lien. The district court's decision thus was based on an erroneous interpretation of the controlling law and did not reach the other issues colorably asserted. Accordingly, we


REVERSE the order granting the motion to dismiss AND REMAND this matter to the district court for further proceedings consistent with this order.

 C.J.

Gibbons

 J.

Pickering

 J.

Saitta

cc: Hon. Rob Bare, District Judge
Martin Centeno
Greenberg Traurig, LLP/Las Vegas
Snell & Wilmer, LLP/Las Vegas
Eighth District Court Clerk