

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAS VEGAS DEVELOPMENT GROUP,  
LLC, A NEVADA LIMITED LIABILITY  
COMPANY,

Appellant,

vs.

BANK OF AMERICA,

Respondent.

No. 65083

**FILED**

**DEC 29 2014**

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

*ORDER GRANTING MOTION FOR REMAND  
AND DISMISSING APPEAL*

The parties have filed a joint motion to dismiss this appeal and remand this matter to the district court pursuant to *Huneycutt v. Huneycutt*, 94 Nev. 79, 575 P.2d 585 (1978); *see also Foster v. Dingwall*, 126 Nev. 49, 228 P.3d 453 (2010). The motion is accompanied by certification from the district court that upon remand it is inclined to vacate its order dismissing appellant's claims and to "enter an order denying the motion to dismiss and, thereby, allow litigation to continue."

Cause appearing, we grant the joint motion. Accordingly, we remand this matter to the district court pursuant to its certification, and we order this appeal dismissed. This dismissal is without prejudice to appellant's right to file a motion to reinstate this appeal should the district court decline to grant the relief requested.<sup>1</sup> Any such motion to

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<sup>1</sup>We note that any aggrieved party may file a notice of appeal from any appealable order entered at the completion of the district court proceedings. See NRAP 3A.

reinstate this appeal shall be filed within 60 days of the district court's order declining to grant the requested relief. The parties' request to stay the briefing schedule in this matter is denied as moot.

It is so ORDERED.

Hardesty, J.  
Hardesty

Douglas, J.  
Douglas

Cherry, J.  
Cherry

cc: Hon. Stefany Miley, District Judge  
Roger P. Croteau & Associates, Ltd.  
Akerman LLP/Las Vegas  
Eighth District Court Clerk