

IN THE SUPREME COURT OF THE STATE OF NEVADA

TERENCE K. DICKINSON,
Petitioner,
vs.
OCWEN LOAN SERVICING, LLC; AND
HSBC BANK USA, NA,
Respondents.

No. 65086

FILED

APR 11 2014

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

ORDER DENYING PETITION FOR EXTRAORDINARY WRIT RELIEF

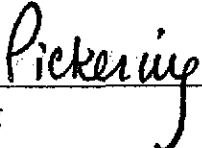
This original proper person “Petition for a Declaratory Judgment” seeks to compel the district court to accept jurisdiction of petitioner’s case.

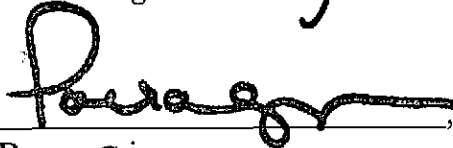
Petitioner argues that extraordinary writ relief is appropriate because “[n]o final Judgment was ever signed by the District Court Judge which emasculates [petitioner’s] ability for effective appeal.” Petitioner also argues that the district court improperly declined to hear his case based on the fact that petitioner filed his complaint before the district judge took office. Contrary to petitioner’s arguments, however, the district court docket entries demonstrate that the case was removed to federal district court in January 2008. Petitioner does not dispute that the case was subsequently heard in federal district court, with judgment being entered in favor of respondent, and thereafter, affirmed by the Ninth Circuit Court of Appeals. Years later petitioner filed a motion for summary judgment in the Nevada State District Court action, and on August 19, 2013, the state court entered a written order denying petitioner’s motion for summary judgment as improper due to the fact that the action had been removed to federal court. See 28 U.S.C. § 1446(d)


(2011). The August 19 order further provided that petitioner's case was closed and remained that way, given that the case had been removed to federal court over five years earlier, and thus, the district court lacked subject matter jurisdiction. *See id.*

Having considered the petition, we conclude that petitioner has failed to demonstrate that extraordinary relief is warranted, and we therefore deny the petition. *See Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004); NRAP 21(b)(1); *see also* 28 U.S.C. § 1446(d) (providing that once an action is removed to federal court, the state court loses jurisdiction over the matter unless and until the federal court remands the action). Accordingly, we

ORDER the petition DENIED.


_____, J.
Pickering


_____, J.
Parraguirre


_____, J.
Saitta

cc: Hon. Abbi Silver, District Judge
Terence K. Dickinson
Roger P. Croteau & Associates, Ltd.
Eighth District Court Clerk