

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARIO BARTH, AN INDIVIDUAL,  
Appellant,  
vs.  
SAXE THEATER, LLC; AND SAXE  
MANAGEMENT, LLC,  
Respondents.

No. 65758

**FILED**

**OCT 13 2014**

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

*ORDER DISMISSING APPEAL*

This is an appeal from a district court order denying a motion for default judgment. On August 11, 2014, this court ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction, noting that the order appealed from is not a final judgment and is not otherwise substantively appealable, that the notice of appeal was filed more than 30 days after service of the appealed order's notice of entry, and that the motion for reconsideration filed by appellant was not a tolling motion under NRAP 4(a)(4). We gave appellant 30 days within which to respond, cautioning him that failure to demonstrate that we have jurisdiction could result in the dismissal of his appeal. To date, appellant has failed to respond to the order to show cause. Accordingly, as this court lacks jurisdiction over this appeal, *see* NRAP 3A(b); *Taylor Constr. Co. v. Hilton Hotels Corp.*, 100 Nev. 207, 209, 678 P.2d 1152, 1153 (1984), we

ORDER this appeal DISMISSED.

Pickering, J.  
Pickering

Parraguirre J.  
Parraguirre

Saitta, J.  
Saitta

cc: Chief Judge, The Eighth Judicial District Court  
Hon. Joseph T. Bonaventure, Senior Judge  
Janet Trost, Settlement Judge  
Cohen-Johnson LLC  
Goodman Law Group  
Eighth District Court Clerk