

IN THE SUPREME COURT OF THE STATE OF NEVADA

NADINA BEVERLY, TRUSTEE OF THE  
BEVERLY-BLAIR 664 OAKWOOD #3  
TRUST,

Appellant,

vs.

THE BANK OF NEW YORK MELLON,  
F/K/A THE BANK OF NEW YORK, AS  
SUCCESSOR IN INTEREST TO JP  
MORGAN CHASE BANK NA AS  
TRUSTEE FOR STRUCTURED ASSET  
MORTGAGE INVESTMENTS II INC.,  
BEAR STEARNS ALT-A THROUGH  
CERTIFICATES, SERIES 2005-S AND  
MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC., AS  
NOMINEE FOR CTX MORTGAGE  
COMPANY, LLC,

Respondents.

No. 66143

**FILED**

**MAR 10 2015**

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

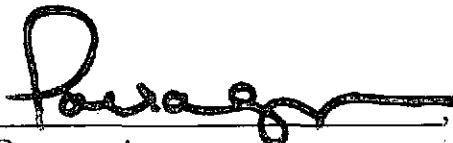
**ORDER GRANTING MOTION FOR REMAND AND  
DISMISSING APPEAL**

Appellant has filed a 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). Appellant's motion is accompanied by an order of the district court certifying that upon remand it will enter an order vacating the order granting respondent's motion to dismiss based upon our decision in *SFR Investments Pool 1 LLC v. U.S. Bank N.A.*, 130 Nev. \_\_\_, 334 P.3d 408 (2014), and conduct further proceedings consistent with *SFR*.

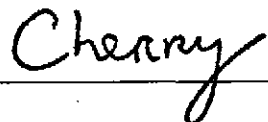
Cause appearing, we grant appellant's motion. Accordingly, we remand this matter to the district court pursuant to its certification,

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 reinstate this appeal shall be filed within 60 days of the district court's order declining to grant the requested relief. *See* NRAP 3A.

It is so ORDERED.<sup>2</sup>

 J.  
Parraguirre

 J.  
Douglas

 J.  
Cherry

cc: Hon. Patrick Flanagan, District Judge  
David E. Adkins  
Snell & Wilmer LLP/Salt Lake City  
Snell & Wilmer, LLP/Las Vegas  
Washoe District Court Clerk

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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.

<sup>2</sup>The parties' joint motion for an extension of time to file the opening brief and appendix filed on February 20, 2015, is denied as moot.