

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN SAYEGH, AS AN INDIVIDUAL;
AND PATRICIA SAYEGH, AS AN
INDIVIDUAL,
Appellants,
vs.
NATIONAL CITY MORTGAGE
COMPANY; PNC BANK NATIONAL
ASSOCIATION; CLEAR RECON CORP.;
DEUTSCHE BANK TRUST COMPANY
AMERICAS; RESIDENTIAL ACCREDIT
LOANS, INC.; TD SERVICE COMPANY;
AND OCWEN LOAN SERVICING,
Respondents.

No. 66247

FILED

NOV 05 2014

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

ORDER DISMISSING APPEAL

This is a proper person appeal from a district court order granting a motion to dismiss in a quiet title action. On October 9, 2014, respondents PNC Bank National Association and Deutsche Bank Trust Company Americas filed a motion to dismiss this appeal, arguing that this court lacks jurisdiction. In particular, those respondents argue that the district court's June 27, 2014, order is not an appealable final judgment because it does not resolve appellants' claims against respondents TD Service Company and Clear Recon Corp.,¹ and because the order did not

¹The motion also correctly indicates that appellants' claims against National City Mortgage Company, Residential Accredit Loans, Inc., and Ocwen Loan Servicing have not been resolved. It is unclear, however, whether these entities were served with process. See *Rae v. All Am. Life & Cas. Co.*, 95 Nev. 920, 922, 605 P.2d 196, 197 (1979) (recognizing that a named defendant who is not served with process is not considered to be a party for purposes of determining the finality of a district court order).

contain an NRCP 54(b) certification. Having considered the motion and the documents submitted to this court, we agree that the appealed-from order is not a final judgment. See NRAP 3A(b)(1); *Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000). Because no other statute or rule appears to authorize this appeal, we lack jurisdiction to consider the appeal at this time.² See *Taylor Constr. Co. v. Hilton Hotels Corp.*, 100 Nev. 207, 209, 678 P.2d 1152, 1153 (1984). Accordingly, we

ORDER this appeal DISMISSED.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Cherry, J.
Cherry

²This order does not preclude any party from filing a new notice of appeal from any future final judgment or other appealable order. In light of this order, no action needs to be taken with regard to appellants' October 28, 2014, motion. The relief sought in that motion, which appears to seek a stay of a district court decision in a separate action and to join a party in that separate action to the underlying action, is appropriately sought in district court.

cc: Chief Judge, The Eighth Judicial District Court
Hon. Robert E. Estes, Senior Judge
John Sayegh
Patricia Sayegh
Tiffany & Bosco, P. A.
Wolfe & Wyman LLP/Phoenix
Wolfe & Wyman LLP/Las Vegas
Eighth District Court Clerk