

IN THE SUPREME COURT OF THE STATE OF NEVADA

COGBURN STREET TRUST,
Appellant,

vs.

U.S. BANK NATIONAL ASSOCIATION,
AS SUCCESSOR IN INTEREST TO
WACHOVIA BANK, NATIONAL
ASSOCIATION, AS TRUSTEE FOR
THE HOLDERS OF THE BANC OF
AMERICA FUNDING CORPORATION,
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2004-C,
Respondent.

No. 66470

FILED

MAY 13 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *AWilcap*
DEPUTY CLERK


*ORDER GRANTING MOTION FOR REMAND
AND DISMISSING APPEAL*

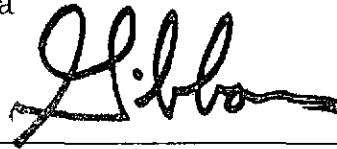
Appellant has filed an unopposed motion to dismiss this appeal and remand this matter to the district court pursuant to *Huneycutt v. Huneycutt*, 94 Nev. 79, 575 P.2d 585 (1978); see also *Foster v. Dingwall*, 126 Nev. 49, 228 P.3d 453 (2010). Appellant's motion is accompanied by an order of the district court certifying that upon remand it will enter an order vacating its order granting the motion to dismiss and enter an order denying the motion to dismiss, based on this court's decision in *SFR Investments Pool 1, LLC v. U.S. Bank*, 130 Nev. Adv. Op. No. 75, 334 P.3d 408 (2014).

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.¹ 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.

It is so ORDERED.²


_____, J.
Saitta


_____, J.
Gibbons


_____, J.
Pickering

cc: Hon. Valorie J. Vega, District Judge
Law Offices of Michael F. Bohn, Ltd.
Wright, Finlay & Zak, LLP/Las Vegas
Eighth District Court Clerk

¹We 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.

²Based on our disposition of this matter, appellant's motion for an extension of time to file the opening brief is denied as moot.