

IN THE SUPREME COURT OF THE STATE OF NEVADA

CITIMORTGAGE, INC., A FOREIGN
CORPORATION,

Appellant,

vs.

HAMPTON AND HAMPTON
COLLECTIONS, LLC,

Respondent.

No. 68458

FILED

DEC 01 2015

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

ORDER DISMISSING APPEAL

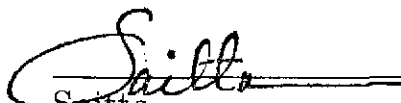
This is an appeal from a district court order granting in part a motion to dismiss, or alternatively for summary judgment, in an action concerning title to real property. Eighth Judicial District Court, Clark County; Michael Villani, Judge.


When our initial review of the docketing statement and documents before this court revealed a potential jurisdictional defect, we ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. Specifically, it appeared that the district court did not enter a final order appealable under NRAP 3A(b)(1) because claims remained pending below and the order was not certified as final pursuant to NRCP 54(b).

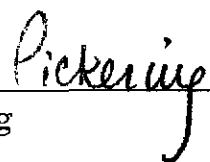
In response to our order, appellant concedes that claims remain pending in the district court and submits that this appeal should be dismissed. We thus conclude that we lack jurisdiction over this appeal, *see* NRAP 3A(b)(1); *Lee v. GNLV Corp.*, 116 Nev. 424, 996 P.2d 416 (2000), and order this appeal dismissed. This dismissal is without prejudice to appellant's ability to file a notice of appeal from any appealable order entered in this matter. *See* NRAP 3A(b). We decline respondent's request

to require appellant to pay respondent's fees and costs as the result of this "invalid and improper appeal."

It is so ORDERED.


_____, J.
Saitta


_____, J.
Gibbons


_____, J.
Pickering

cc: Hon. Michael Villani, District Judge
Janet Trost, Settlement Judge
Aldridge Pite, LLP
Brownstein Hyatt Farber Schreck, LLP/Las Vegas
Eighth District Court Clerk