## IN THE SUPREME COURT OF THE STATE OF NEVADA

DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR THE REGISTERED HOLDERS OF MORGAN STANLEY ABS CAPITAL I, INC. TRUST 2007-NC3 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-NC3,

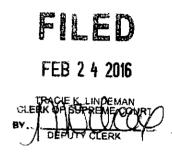
vs.

Appellant,

ALKI, LLC SERIES "B",

Respondent.

No. 69141



## ORDER DISMISSING APPEAL

This is an appeal from a district court's findings of fact, conclusions of law, and order in an action to quiet title. Eighth Judicial District Court, Clark County; Susan Johnson, Judge.

When our initial review of the docketing statement and documents submitted to 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 order challenged on appeal was not appealable as a final judgment under NRAP 3A(b)(1) because respondent's claim for slander of title remained pending in the district court, and that claims remained pending against defendant Rae Anne Berry.

In the response to this court's order to show cause why this appeal should not be dismissed for lack of jurisdiction, appellant agrees that the slander of title claim remains outstanding and that claims remain pending against defendant Rae Anne Berry. Because these claims remain pending in the district court, the order challenged on appeal is not a final

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appealable judgment, see NRAP 3A(b)(1); Lee v. GNLV Corp., 116 Nev. 424, 426, 996 P.2d 416, 417 (2000), and appellant fails to demonstrate that this court otherwise has jurisdiction over this appeal. Accordingly, it appears we lack jurisdiction, and we

ORDER this appeal DISMISSED.

\_, J. Saitta

Id .. al DISMISS. <u>Jackesty</u>, J. <u>Pickering</u>, J.

Hon. Susan Johnson, District Judge cc: Wright, Finlay & Zak, LLP/Las Vegas The Law Office of Mike Beede, PLLC Eighth District Court Clerk