

IN THE SUPREME COURT OF THE STATE OF NEVADA

EVA ARRIBA, AN INDIVIDUAL,
Appellant,

vs.

BANK OF AMERICA, N.A.,
SUCCESSOR BY MERGER TO BAC
HOME LOANS SERVICING, LP F/K/A
COUNTRYWIDE HOME LOANS
SERVICING, LP, A NATIONAL
BANKING ASSOCIATION,
Respondent.

No. 69026

FILED

MAY 11 2016

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 a motion for summary judgment in an action for interpleader and related claims. 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 had not entered a final judgment appealable under NRAP 3A(b)(1) because the interpleader claim remained pending in the district court.

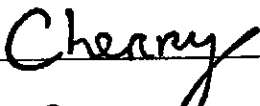
In response, appellant concedes that the interpleader action remains unresolved but asserts that the challenged order resolves all of the issues between the parties to this appeal. Because the interpleader claim remains pending in the district court and the district court did not certify its order as final pursuant to NRCP 54(b)¹ the order is not

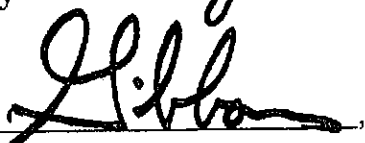
¹We express no opinion as to whether any such certification would be proper. See NRCP 54(b); *Mallin v. Farmers Ins. Exch.*, 106 Nev. 606, 797 P.2d 978 (1990).

appealable as a final judgment under NRAP 3A(b)(1). *See Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000) (defining a final judgment). Accordingly, we conclude that we lack jurisdiction over this appeal, and we

ORDER this appeal DISMISSED

, J.
Douglas

, J.
Cherry

, J.
Gibbons

cc: Hon. Jessie Elizabeth Walsh, District Judge
Janet Trost, Settlement Judge
The Wright Law Group
Akerman LLP/Las Vegas
Eighth District Court Clerk