

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE BANK OF NEW YORK MELLON,  
F/K/A THE BANK OF NEW YORK, AS  
TRUSTEE FOR THE  
CERTIFICATEHOLDERS CWALT,  
INC., ALTERNATIVE LOAN TRUST  
2006-0A7 MORTGAGE PASS-  
THROUGH CERTIFICATES, SERIES  
2006-0A7, A/K/A BANK OF NEW YORK  
MELLON, F/K/A BANK OF NEW YORK,  
AS TRUSTEE, ON BEHALF OF THE  
REGISTERED HOLDERS OF  
ALTERNATIVE LOAN TRUST 2006-  
0A7, MORTGAGE PASS-THROUGH  
CERTIFICATES SERIES 2006-0A7,  
Appellant,

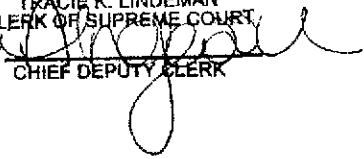
vs.

TRP FUND IV, LLC, A NEVADA  
LIMITED LIABILITY COMPANY,  
Respondent.

No. 69879

**FILED**

JUN 28 2016

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY   
CHIEF DEPUTY CLERK

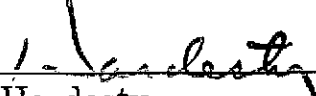
*ORDER DISMISSING APPEAL*


This is an appeal from a district court order granting a motion for summary judgment in a quiet title action. Respondent has filed a motion to dismiss this appeal for lack of jurisdiction, asserting that the claims asserted in its third-party complaint against Isaac and Linda Szlamkowicz remain pending in the district court. Appellant does not dispute that these claims remain pending in the district court. Instead, appellant asserts that the district court entered an order to statistically close this case and that order constitutes a final judgment in this matter, after which it timely filed a notice of appeal.

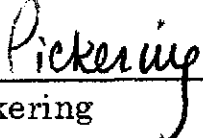
Respondent filed a third-party complaint against Isaac and Linda Szlamkowicz in the district court on September 28, 2015, and

served them with copies of the complaint. No district court order appears to resolve the third-party complaint. Accordingly, the claims against Isaac and Linda Szlamkowicz remain pending in the district court such that the order granting the motion for summary judgment is not a final judgment appealable pursuant to NRAP 3A(b)(1). *See Lee v. GNLV, Corp.*, 116 Nev. 424, 996 P.2d 416 (2000) (a final judgment is one that resolves all claims and issues against all parties and leaves nothing for the district court's future determination except for post-judgment issues); *see also Taylor Constr. Co. v. Hilton Hotels Corp.*, 100 Nev. 207, 209, 678 P.2d 1152, 1153 (1984) (this court may only consider appeals that are authorized by statute or court rule). And appellant's argument that the order statistically closing the case is a final adjudication of the case lacks merit. *Brown v. MHC Stagecoach*, 129 Nev. Adv. Op. 37, 301 P.3d 850 (2013). Accordingly, we conclude that we lack jurisdiction over this appeal,<sup>1</sup> and we

ORDER this appeal DISMISSED.<sup>2</sup>

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Saitta

  
\_\_\_\_\_, J.  
Pickering

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<sup>1</sup>Appellant may file a notice of appeal from any appealable order entered by the district court.

<sup>2</sup>Given this order, we take no action on the parties' stipulation to stay the briefing schedule.

cc: Hon. Rob Bare, District Judge  
Lansford W. Levitt, Settlement Judge  
Wright, Finlay & Zak, LLP/Las Vegas  
The Wright Law Group  
Eighth District Court Clerk