

IN THE SUPREME COURT OF THE STATE OF NEVADA

ZAISAN ENTERPRISES LLC,  
Appellant,

vs.

THE FALLS AT RHOADS RANCH  
CONDOMINIUM OWNERS  
ASSOCIATION, INC., A NEVADA NON-  
PROFIT CORPORATION,

Respondent/Cross-Appellant,  
and

THE BANK OF NEW YORK MELLON,  
F/K/A THE BANK OF NEW YORK AS  
TRUSTEE FOR THE BENEFIT OF THE  
CERTIFICATE HOLDERS OF THE  
CWALT, INC., ALTERNATIVE LOAN  
TRUST 2004-10CB, MORTGAGE PASS  
THROUGH CERTIFICATES; AND  
COUNTRYWIDE HOME LOANS, INC.,

Respondents/Cross-Respondents,  
and

ALESSI & KOENIG, LLC, A NEVADA  
LIMITED LIABILITY COMPANY,

Respondent.

No. 70708

**FILED**

JAN 18 2017

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

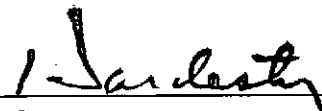
*ORDER DISMISSING APPEALS*


This is an appeal and cross-appeal from a district court judgment of quiet title. Eighth Judicial District Court, Clark County; Gloria Sturman, Judge. When our initial review of the docketing statements and documents before this court revealed potential jurisdictional defects, we ordered appellant and respondent/cross-appellant to show cause why these appeals should not be dismissed for lack of jurisdiction. We questioned whether a final judgment appealable under NRAP 3A(b)(1) had been entered where it appeared that claims remained pending in the district court, *see Lee v. GNLV Corp.*, 116 Nev.


424, 426, 996 P.2d 416, 417 (2000), and the district court's certification of the order as final under NRCP 54(b) was improper because it did not completely remove any party from the action, *see* NRCP 54(b).

To date, appellant has failed to respond to our order. Respondent/cross-appellant has filed a response, but does not assert that a final judgment has been entered and declines to respond to this court's concerns regarding the NRCP 54(b) certification. We conclude that because claims remain pending in the district court, the challenged order is not appealable as a final judgment under NRAP 3A(b)(1). Further, because it appears that the order does not completely remove any party from the action, the purported NRCP 54(b) certification was improper. *See Mallin v. Farmers Ins. Exch.*, 106 Nev. 606, 797 P.2d 978 (1990). Accordingly, it appears that we lack jurisdiction, and we

ORDER these appeals DISMISSED.

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

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Stiglich

cc: Hon. Gloria Sturman, District Judge  
Eleissa C. Lavelle, Settlement Judge  
Wolfe Thompson  
Akerman LLP/Las Vegas  
Wright, Finlay & Zak, LLP/Las Vegas  
HOA Lawyers Group, LLC  
Lipson Neilson Cole Seltzer & Garin, P.C.  
Eighth District Court Clerk