

IN THE SUPREME COURT OF THE STATE OF NEVADA

DOWNTOWN GRAND HOTEL &
CASINO; AND NELSON DAVISON
ADMINISTRATORS, INC.,

Appellants,

vs.

QUENZELL SWAYNE,

Respondent.

No. 74708

FILED

JUL 09 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order remanding to an appeals officer in a workers' compensation matter. Eighth Judicial District Court, Clark County; Joanna Kishner, Judge.

Our preliminary review of the docketing statement and documents before this court revealed a potential jurisdictional defect. It appeared that the challenged order was not appealable because orders remanding to an administrative agency are not generally appealable unless the order is a final judgment. *See Ayala v. Caesars Palace*, 119 Nev. 232, 235, 71 P.3d 490, 492 (2003), *overruled on other grounds by Five Star Capital Corp. v. Ruby*, 124 Nev. 1048, 194 P.3d 709 (2008); *State, Taxicab Auth. v. Greenspun*, 109 Nev. 1022, 1024-25, 862 P.2d 423, 424-25 (1993). Accordingly, we ordered appellant, by May 11, 2018, to show cause why this appeal should not be dismissed for lack of jurisdiction. We cautioned that failure to demonstrate that this court has jurisdiction could result in the dismissal of the appeal. To date, appellant has not filed a response or otherwise communicated with this court. Accordingly, appellant fails to demonstrate that this court has jurisdiction, *see Moran v. Bonneville Square Assocs.*, 117 Nev. 525, 527, 25 P.3d 898, 899 (2001) (stating that "the burden rests squarely upon the shoulders of a party seeking to invoke our

jurisdiction to establish, to our satisfaction, that this court does in fact have jurisdiction”), and we

ORDER this appeal DISMISSED.

Pickering, J.
Pickering

J. Gibbons, J.
Gibbons

J. Hardesty, J.
Hardesty

cc: Hon. Joanna Kishner, District Judge
Carolyn Worrell, Settlement Judge
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas
Nevada Attorney for Injured Workers/Carson City
Nevada Attorney for Injured Workers/Las Vegas
Eighth District Court Clerk