

IN THE SUPREME COURT OF THE STATE OF NEVADA

KAL-MOR-USA, LLC, A NEVADA
LIMITED LIABILITY COMPANY

Appellant,

vs.

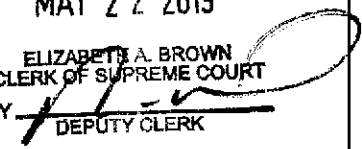
NATIONSTAR MORTGAGE, LLC, A
FOREIGN LIMITED LIABILITY
COMPANY,

Respondent.

No. 76646

FILED

MAY 22 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order denying a motion for relief under NRCP 60(b). Eighth Judicial District Court, Clark County; Linda Marie Bell, Judge.

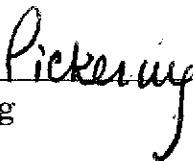
On November 26, 2018, this court entered an order that, among other things, directed appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. It appeared that the district court had not entered a final judgment appealable under NRAP 3A(b)(1) because several claims remained pending in the district court. In the absence of a final judgment, the order challenged on appeal was not appealable as a special order after final judgment. *See* NRAP 3A(b)(8).

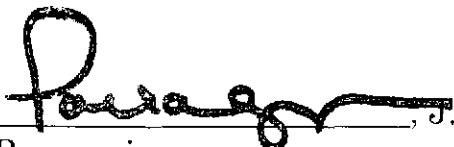
Appellant subsequently moved for and was granted three extensions of time to file its response. In granting appellant's third motion for an extension of time, this court stated that further requests for extensions of time would not be viewed favorably and would not be granted based on the parties' settlement negotiations. On March 21, 2019, the parties filed a notice of settlement and stipulation to stay this appeal. The parties stated that they had reached a settlement and agreed to stay the appeal pending finalization of the settlement documents. Because the


notice and stipulation effectively requested yet another extension of time based on the parties' settlement negotiations and failed to acknowledge this court's prior order, this court denied the stipulation on March 28, 2019. Appellant was directed to file and serve either a (1) response to the order to show cause or (2) a stipulation or motion to dismiss this appeal by April 4, 2019. The court cautioned that failure to comply could result in the imposition of sanctions, including the dismissal of this appeal.

To date, appellant has failed to file a response to the order to show cause or a motion or stipulation to dismiss this appeal, or otherwise communicate with this court. Accordingly, appellant fails to demonstrate that this court has jurisdiction over this appeal, *see Moran v. Bonneville Square Assocs.*, 117 Nev. 525, 527, 25 P.3d 898, 899 (2001) (stating that the burden of establishing appellate jurisdiction lies with appellant), and this court

ORDERS this appeal DISMISSED.


_____, J.
Pickering


_____, J.
Parraguirre


_____, J.
Cadish

cc: Hon. Linda Marie Bell, Chief Judge
Janet Trost, Settlement Judge
Law Offices of Raffi A. Nahabedian
Akerman LLP/Las Vegas
Eighth District Court Clerk