

IN THE SUPREME COURT OF THE STATE OF NEVADA

YACOV JACK HEFETZ,
Appellant,
vs.
CHRISTOPHER BEAVOR,
Respondent.

No. 68438

YACOV JACK HEFETZ,
Appellant,
vs.
CHRISTOPHER BEAVOR,
Respondent.

No. 68843

FILED

APR 01 2016

TRACIE W. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DISMISSING APPEALS

These consolidated appeals are from a district court order granting a motion to dismiss a complaint in a breach of contract action and an order granting a motion for attorney fees and costs. Eighth Judicial District Court, Clark County; Ronald J. Israel, Judge.

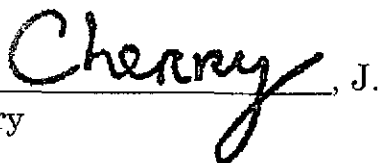
When our preliminary review of the amended docketing statement and the documents before this court revealed potential jurisdictional defects, we ordered appellant to show cause why these appeals should not be dismissed for lack of jurisdiction. It appeared that the district court had not yet entered a written order adjudicating all the rights and liabilities of all the parties such that the June 17, 2015, order was not a final judgment appealable under NRAP 3A(b)(1); *Lee v. GNLV Corp.*, 116 Nev. 424, 427, 996 P.2d 416, 418 (2000). Specifically, it appeared that the claims asserted by Alis Cohen, the claims asserted against Samantha Beavor, and the counterclaims may remain pending in the district court. And in the absence of a final judgment, the order awarding attorney fees and costs is not appealable as a special order after final judgment. *See* NRAP 3A(b)(8).

In response to our order, appellant has demonstrated that the claims asserted by Alis Cohen and against Samantha Beavor have been resolved. Appellant asserts that the counterclaims were dismissed when the court granted his "Rule 50(a) motion" and cites to exhibits 5 and 7 to the response. Exhibit 5 is a copy of the district court minute entries from March 1, 2013. Those entries indicate that the district court orally dismissed the counterclaims. However, the district court's minute order is ineffective. *See State, Div. Child & Fam. Serv. v. Dist. Court*, 120 Nev. 445, 451, 92 P.3d 1239, 1243 (2004). Exhibit 7 is a notice of entry of judgment for the "May 17, 2013," judgment on jury verdict.¹ The judgment attached thereto is not file-stamped and is thus ineffective. *See id.*; NRCP 58(c). Moreover, the judgment does not purport to dismiss or otherwise enter judgment on the counterclaims. Appellant thus fails to demonstrate that the district court has entered a final judgment resolving all the claims of all the parties below. As a result, it appears that this court lacks jurisdiction over these appeals and we

ORDER these appeals DISMISSED.



_____, J.
Douglas



_____, J.
Cherry



_____, J.
Gibbons

¹The district court docket sheet indicates that the judgment was entered on May 21, 2013, not May 17.

cc: Ronald J. Israel, District Judge
Cohen-Johnson LLC
Dickinson Wright PLLC
Eighth District Court Clerk
James J. Jimmerson, Settlement Judge