

IN THE SUPREME COURT OF THE STATE OF NEVADA

SATICOY BAY LLC, SERIES 2920
BAYLINER AVENUE,

Appellant,

vs.

THE BANK OF NEW YORK MELLON
F/K/A THE BANK OF NEW YORK, AS
SUCCESSOR TO JPMORGAN CHASE
BANK, N.A., AS TRUSTEE FOR THE
HOLDERS OF THE MLMI SURF
TRUST, MORTGAGE LOAN ASSET-
BACKED CERTIFICATES, SERIES
2005-BC4,

Respondent.

No. 70337

FILED

JAN 19 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK


ORDER DISMISSING APPEAL

This is an appeal from a district court order granting a motion for summary judgment in a declaratory relief/quiet title action. Eighth Judicial District Court, Clark County; Kenneth C. Cory, Judge.

When our initial review of the docketing statement and documents before this court revealed a potential jurisdictional defect, we ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. We explained that it did not appear that the district court had entered a final, appealable order because respondent's cross-claims remained pending in the district court. In response, appellant indicated that a motion to clarify the challenged order was pending in the district court and that resolution of that motion may establish the finality of all claims in this matter. We granted appellant several extensions of time, and counsel has now submitted a copy of the order on the motion for clarification. That order does not resolve the cross-claims. It thus appears that the cross-claims remain pending and the

district court has not yet entered a final judgment appealable under NRAP 3A(b)(1). See *Lee v. GNLV Corp.*, 116 Nev. 424, 996 P.2d 416 (2000). Accordingly, it appears that we lack jurisdiction over this appeal, and we ORDER this appeal DISMISSED.


_____, J.
Douglas


_____, J.
Gibbons


_____, J.
Pickering

cc: Hon. Kenneth C. Cory, District Judge
John Walter Boyer, Settlement Judge
Law Offices of Michael F. Bohn, Ltd.
Akerman LLP/Las Vegas
Eighth District Court Clerk