

IN THE SUPREME COURT OF THE STATE OF NEVADA

COLLEGIUM FUND LLC SERIES 27, A
NEVADA LIMITED LIABILITY
COMPANY,

Appellant,

vs.

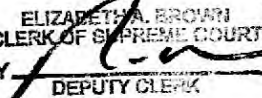
THE BANK OF NEW YORK MELLON,
F/K/A THE BANK OF NEW YORK, AS
TRUSTEE FOR THE
CERTIFICATEHOLDERS CWALT,
INC., ALTERNATIVE LOAN TRUST
2006-OA16, MORTGAGE PASS-
THROUGH CERTIFICATES,

Respondent.

No. 77026

FILED

NOV 08 2009

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order entered in a quiet title action. Eighth Judicial District Court, Clark County; Richard Scotti, Judge.

This court's initial review of the docketing statement revealed a potential jurisdictional defect. It appeared that the challenged order was not appealable as a final judgment under NRAP 3A(b)(1) because the parties' unjust enrichment claims against each other remained pending in the district court. *See Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000) (defining a final judgment). Accordingly, this court ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. In response, appellant agrees that the unjust enrichment claims remain pending and asks that this matter be remanded to the district court for further findings.

As it appears the district court has not yet entered a final judgment appealable under NRAP 3A(b)(1), and no other statute or court

rule appears to authorize an appeal from the challenged order, this court lacks jurisdiction. *See Brown v. MHC Stagecoach, LLC*, 129 Nev. 343, 345, 301 P.3d 850, 851 (2013) (this court “may only consider appeals authorized by statute or court rule”). Accordingly, this court

ORDERS this appeal DISMISSED.¹

Parraguirre, J.
Parraguirre

Pickering, J.
Pickering

Cadish, J.
Cadish

cc: Hon. Richard Scotti, District Judge
Janet Trost, Settlement Judge
Clark Newberry Law Firm
Akerman LLP/Las Vegas
Eighth District Court Clerk

¹Any aggrieved party may file a new notice of appeal once the district court enters a final judgment.