

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES SONG, INDIVIDUALLY; AND
ADRIENNE SONG, INDIVIDUALLY,
Appellants,
vs.
SCOTT PENSIVY, INDIVIDUALLY,
Respondent.

No. 78718

FILED

FEB 21 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from findings of fact and conclusions of law and judgment. Eighth Judicial District Court, Clark County; Joanna Kishner, Judge.

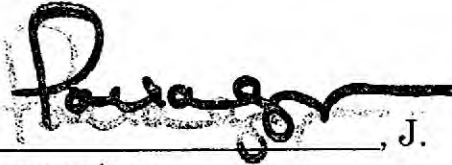
On October 10, 2019, this court entered an order directing appellants to show cause why this appeal should not be dismissed for lack of jurisdiction.¹ The order stated that failure to demonstrate that this court has jurisdiction could result in the dismissal of this appeal. Appellants failed to file a response or otherwise communicate with this court. Accordingly, on January 7, 2020, this court entered an order directing appellants to file a response by January 21, 2020.² The order stated that failure to demonstrate that this court has jurisdiction, or failure to file a response, could result in the dismissal of this appeal. To date, appellants

¹A copy of this order is attached.

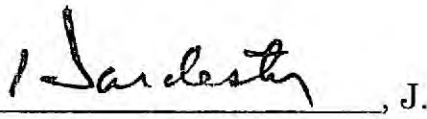
²A copy of this order is attached.

have failed to file a response or otherwise communicate with this court.
Accordingly, this court

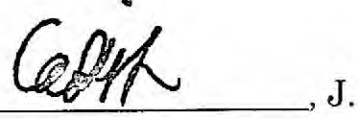
ORDERS this appeal DISMISSED


_____, J.

Parraguirre


_____, J.

Hardesty


_____, J.

Cadish

cc: Hon. Joanna Kishner, District Judge
Kristine M. Kuzemka, Settlement Judge
The Schnitzer Law Firm
McDonald Carano LLP/Las Vegas
Eighth District Court Clerk

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FILED

OCT 10 2019

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

ORDER TO SHOW CAUSE

This is an appeal from a district court order entered in a breach of contract action. Initial review of the docketing statement and documents before this court reveals a potential jurisdictional defect. It is not clear whether the district court has entered a final judgment appealable under NRAP 3A(b)(1). See *Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000) (defining a final judgment). Neither the challenged order, nor any other written order, appears to resolve respondent's claims against Longevity Worldwide, LLC, and Longevity Network, Ltd.¹

Accordingly, appellants shall have 30 days from the date of this order to show cause why this appeal should not be dismissed for lack of jurisdiction. In responding to this order, appellants should provide, in addition to points and authorities, a copy of any district court order finally

¹Appellants' docketing statement does not identify the claims against these parties. The district court docket sheet indicates that defaults were entered against these parties, but no written district court order appears to finally resolve these claims. See *Estate of Lomastro v. Am. Family Ins. Grp.*, 124 Nev. 1060, 1068, 195 P.3d 339, 345 (2008) (recognizing the distinction between a default and a default judgment).

resolving the claims against Longevity Worldwide, LLC, and Longevity Network, Ltd. Respondent may file any reply within 14 days of service of appellants' response. Failure to demonstrate that this court has jurisdiction may result in the dismissal of this appeal.

The deadlines to file documents in this appeal are suspended pending further order of this court.

It is so ORDERED.

 C.J.

cc: The Schnitzer Law Firm
McDonald Carano LLP/Las Vegas

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FILED

JAN 07 2020

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

ORDER

On October 10, 2019, this court entered an order directing appellants to show cause, by November 12, 2019, why this appeal should not be dismissed for lack of jurisdiction. To date, appellants have not filed a response or otherwise communicated with this court.

Appellants shall have 14 days from the date of this order to file a response to this court's October 10, 2019, order. Failure to demonstrate that this court has jurisdiction, or failure to file a response, may result in the dismissal of this appeal.

It is so ORDERED.

Pickering, C.J.

cc: The Schnitzer Law Firm
McDonald Carano LLP/Las Vegas