

IN THE SUPREME COURT OF THE STATE OF NEVADA

CLARK COUNTY NEVADA,
DEPARTMENT OF AVIATION, A
POLITICAL SUBDIVISION OF THE
STATE OF NEVADA,

Appellant,

vs.

SOUTHERN NEVADA LABOR
MANAGEMENT COOPERATION
COMMITTEE, BY AND THROUGH ITS
TRUSTEES TERRY MAYFIELD AND
CHRIS CHRISTOPHERSEN; AND
OFFICE OF THE LABOR
COMMISSIONER,

Respondents.

No. 80798

FILED

JUL 30 2020

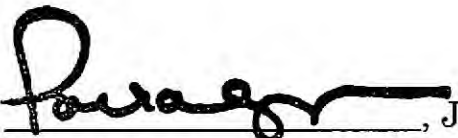
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

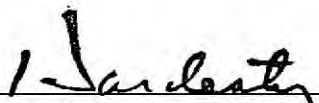
ORDER DISMISSING APPEAL

This is an appeal from a district court order granting a petition for judicial review. Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.

When this court's review of the docketing statement and documents before this court revealed a potential jurisdictional defect, this court ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. It appeared that the notice of appeal was prematurely filed after the filing of a timely tolling motion for reconsideration but prior to entry of a written order formally resolving that tolling motion. *See* NRAP 4(a)(4); NRAP 4(a)(6); *AA Primo Builders LLC v. Washington*, 126 Nev. 578, 585, 245 P.3d 1190, 1195 (2010). The parties asserted in response that the motion for reconsideration did not actually seek reconsideration and was thus not a tolling motion. This court rejected that contention and again ordered appellant to show cause why the appeal

should not be dismissed for lack of jurisdiction. *Clark Cty. Dep't of Aviation v. S. Nev. Labor Mgmt. Cooperation Comm.*, Docket No. 80798 (Order to Show Cause, June 5, 2009). In its latest response, appellant states it "does not dispute that the notice of appeal was premature." Respondent Southern Nevada Labor Management Cooperation Committee agrees that dismissal of this appeal appears proper. It thus appears that the notice of appeal was prematurely filed and this court lacks jurisdiction. Accordingly, this court
ORDERS this appeal DISMISSED.


_____, J.
Parraguirre


_____, J.
Hardesty


_____, J.
Cadish

cc: Hon. Kathleen E. Delaney, District Judge
Israel Kunin, Settlement Judge
Fisher & Phillips LLP
Attorney General/Carson City
Attorney General/Reno
Christensen James & Martin
Eighth District Court Clerk