

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRIAN T. RIFFEL,

Appellant,

vs.

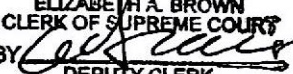
NICHOLAS W. ANDERSON; LINDA S.
ANDERSON; AND APRIL E.
ANDERSON,

Respondents.

No. 82329

FILED

APR 23 2021

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 to dismiss in part, denying a motion for summary judgment, and assigning the case to the court-annexed arbitration program. Second Judicial District Court, Washoe County; Barry L. Breslow, Judge.

Initial review of the docketing statement and documents before this court revealed a potential jurisdictional defect; it did not appear that the challenged order is appealable as a final judgment under NRAP 3A(b)(1) because respondents' claim for breach of contract remains pending in the district court. See *Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000) (defining a final judgment as "one that disposes of all the issues presented in the case, and leaves nothing for the future consideration of the court, except for post-judgment issues such as attorney's fees and costs"). Accordingly, this court ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction.

In response, appellant states that he filed the notice of appeal out of an abundance of caution. He explains that he has filed a petition for a writ of mandamus (Docket No. 82774) and asserts that this court may review the challenged order in the context of the writ petition. Having considered appellant's response, as well as respondents Nicholas Anderson

and Linda Anderson's reply, we conclude appellant fails to demonstrate that this court has jurisdiction to consider this appeal. Accordingly, we

ORDER this appeal DISMISSED.


Parraguirre, J.


Stiglich, J.


Silver, J.

cc: Hon. Barry L. Breslow, District Judge
Wallace & Millsap LLC
April E. Anderson
Linda S. Anderson
Nicholas W. Anderson
Washoe District Court Clerk