

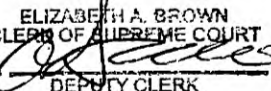
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

UMRAM OSAMBELA, AN  
INDIVIDUAL; AND SUSANA  
CONTRERAS, AN INDIVIDUAL,  
Appellants,  
vs.  
HSBC USA, NATIONAL  
ASSOCIATION, A FOREIGN  
CORPORATION; WESTERN  
PROGRESSIVE-NEVADA, INC., A  
FOREIGN CORPORATION; AND  
OCWEN LOAN SERVICING, LLC, A  
FOREIGN LIMITED-LIABILITY  
COMPANY,  
Respondents.

No. 84496-COA

**FILED**

MAY 10 2023

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

SUSANA CONTRERAS, AN  
INDIVIDUAL,  
Appellant,  
vs.  
HSBC USA, NATIONAL  
ASSOCIATION, A FOREIGN  
CORPORATION; WESTERN  
PROGRESSIVE-NEVADA, INC., A  
FOREIGN CORPORATION; AND  
OCWEN LOAN SERVICING, LLC, A  
FOREIGN LIMITED-LIABILITY  
COMPANY,  
Respondents.

No. 84924-COA

*ORDER OF AFFIRMANCE*

Umram Osambela and Susana Contreras appeal from a district court order granting summary judgment, and Contreras appeals from a

post-judgment order awarding attorney fees.<sup>1</sup> Eighth Judicial District Court, Clark County; Mary Kay Holthus, Judge.

Osambela and Contreras filed the underlying action against respondents, alleging various statutory violations and wrongful foreclosure. The district court initially denied respondents' motion for summary judgment, but after they moved for relief from that order under NRCP 60(b)(6), the district court granted the motion and entered summary judgment in respondents' favor. The district court thereafter granted respondents' motion for attorney fees, and this appeal followed.

On appeal, Osambela and Contreras's only argument in favor of reversal is that the district court lacked the authority to grant relief under NRCP 60(b)(6), as NRCP 60(b) applies only to final judgments, and the order denying respondents' motion for summary judgment was an interlocutory order. On that ground, Contreras contends that the fee award was based on an order lacking in authority and must likewise be reversed. Although appellants are correct that "NRCP 60(b) applies only to final judgments," *Barry v. Lindner*, 119 Nev. 661, 669, 81 P.3d 537, 542 (2003), *superseded by rule on other grounds as stated in LaBarbera v. Wynn Las Vegas, LLC*, 134 Nev. 393, 395, 422 P.3d 138, 140 (2018), they ignore the extent to which—as argued by respondents—the district court possesses authority to revise an interlocutory order at any time before the entry of a final judgment, *see* NRCP 54(b); *Bower v. Harrah's Laughlin, Inc.*, 125 Nev. 470, 478-79, 215 P.3d 709, 716 (2009) (affirming a district court's decision to reconsider an order denying summary judgment under NRCP 54(b), even

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<sup>1</sup>The supreme court dismissed the appeal in Docket No. 84924 in part as to Osambela's challenge to the fee award, as he filed for bankruptcy, and his appeal from the fee award is subject to the automatic stay.

though the district court did not rely on that rule and neither party cited it in their briefs). Accordingly, the district court's error in relying on NRC 60(b) was harmless. *See Wyeth v. Rowatt*, 126 Nev. 446, 465, 244 P.3d 765, 778 (2010) ("When an error is harmless, reversal is not warranted."). As a result, appellants fail to demonstrate any basis for reversal of the final judgment, and Contreras likewise fails to demonstrate any basis for reversal of the fee award against her. We therefore affirm both orders. *See Rosenstein v. Steele*, 103 Nev. 571, 575, 747 P.2d 230, 233 (1987) (stating that the appellate courts will affirm a district court decision if it reached the correct result, albeit for different reasons).

It is so ORDERED.

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Bulla

  
\_\_\_\_\_, J.  
Westbrook

cc: Hon. Mary Kay Holthus, District Judge  
Persi J. Mishel, Settlement Judge  
Benjamin B. Childs  
Wright, Finlay & Zak, LLP/Las Vegas  
Eighth District Court Clerk