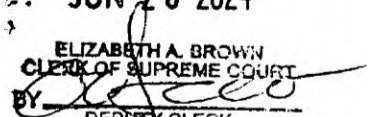


IN THE SUPREME COURT OF THE STATE OF NEVADA

SILVER CREEK CAPITAL, LLC, A
NEVADA LIMITED LIABILITY
COMPANY,
Appellant,
vs.
BANK OF AMERICA, N.A., A
NATIONAL BANKING ASSOCIATION,
Respondent.

No. 88325

FILED
JUN 28 2024
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order granting respondent's motion to expunge lis pendens. Eighth Judicial District Court, Clark County; Susan Johnson, Judge.


Review of the notice of appeal and the documents before this court reveals a jurisdictional defect. Specifically, it appears that the order designated in the notice of appeal is not substantively appealable. See NRAP 3A(b). This court has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule. *Taylor Constr. Co. v. Hilton Hotels*, 100 Nev. 207, 678 P.2d 1152 (1984). No statute or court rule provides for an appeal from an order expunging lis pendens. See *Tahican, LLC v. Eighth Jud. Dist. Ct.*, 139 Nev. Adv. Op. 2, 523 P.3d 550, 553 (2023), *as amended* (Feb. 9, 2023) ("An order denying a motion to expunge a lis pendens is not substantively appealable."); *Matter of Est. of Baclet*, No. 85255, 2022 WL 4760407 (Nev. Sep. 30, 2022) (Order Dismissing Appeal); *Garcia v. Salazar*, No. 84464, 2022 WL 1302178 (Nev. Apr. 29, 2022) (Order Dismissing Appeal); see also *Meadow Valley Min. Co. v. Dodds*, 6 Nev. 261, 263-64 (1871) ("If an order granting an injunction also embraces, as in this case, a further order or requirement entirely independent of the


injunction, . . . we do not see that an appeal from that portion of the order which is appealable will warrant a review of another portion which is not, and which, although embraced in the same order, is really independent and distinct in itself.”).

In respondent’s response to appellant’s docketing statement, respondent points out this jurisdictional defect. In reply, appellant concedes that this court lacks jurisdiction. Accordingly, we

ORDER this appeal DISMISSED.


_____, J.
Herndon


_____, J.
Lee


_____, J.
Bell

cc: Hon. Heidi Almase, District Judge, Family Division
Kristine M. Kuzemka, Settlement Judge
Janelle Duran
Marathon Law Group, PLLC
Eighth District Court Clerk