

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAND VIEW LLC,  
Appellant,  
vs.  
CITIMORTGAGE, INC.,  
Respondent.

No. 90221

**FILED**

**DEC 05 2025**

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DISMISSING APPEAL*

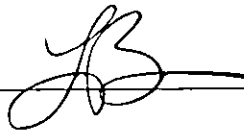
This is an appeal of a district court order dismissing appellant's amended complaint and expunging the lis pendens. On October 2, 2025, appellant filed a motion to dismiss this appeal as moot because respondent "has since recorded a recission of the 2023 [notice of default]." Appellant seeks a dismissal order directing each party to bear its own fees and costs. Respondent agrees this appeal should be dismissed, but objects to the request that each party bear its own fees and costs.

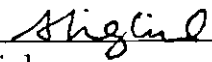
As the parties agree this appeal should be dismissed, this appeal is dismissed. NRAP 42. This dismissal is without prejudice to respondent's ability to seek fees and costs, if deemed warranted. See *Breeden v. Eighth Jud. Dist. Ct.*, 131 Nev. 96, 98-99, 343 P.3d 1242, 1243-44 (2015) (the voluntary dismissal of an appeal does not bar the award of

costs under NRAP 39, or of attorney fees under NRAP 38, if the appeal is frivolous).

It is so ORDERED.<sup>1</sup>

  
Parraguirre

, J.  
Bell

, J.  
Stiglich

cc: Hon. Veronica Barisich, District Judge  
Dana Jonathon Nitz, Settlement Judge  
Hong & Hong  
Wolfe & Wyman LLP/Las Vegas  
Eighth District Court Clerk

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<sup>1</sup>Given this dismissal, no action will be taken on appellant's motion to stay briefing pending the decision on the motion to dismiss or, alternatively, for an extension of time to file the opening brief.