

IN THE SUPREME COURT OF THE STATE OF NEVADA

JULIO LAGAS,
Appellant,
vs.
CMG MORTGAGE, INC.,
Respondent.

No. 91128

FILED

MAY 04 2026

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a pro se appeal from a district court order dismissing a petition for judicial review in a foreclosure mediation matter. Eighth Judicial District Court, Clark County; Jerry A. Wiese, Judge.

Respondent has filed a motion to dismiss this appeal as moot. In support, respondent represents that the notice of default has been rescinded. Respondent has also provided a copy of the recorded notice of rescission. Appellant has filed a notice of non-opposition to the motion.

Foreclosure cannot occur based on the now rescinded notice of default. And any future foreclosure proceedings will require respondent to record a new notice of default, which will provide appellant with a new opportunity to elect to mediate. NRS 107.080; 107.086; *see also Holt v. Regional Trustee Servs. Corp.*, 127 Nev. 886, 892, 266 P.3d 602, 606–07 (2011) (“A notice of rescission renders moot disputes concerning the notice of default or its timing.”). Accordingly, we agree that this appeal is moot. *See Sherbino v. Select Portfolio Servicing, Inc.*, Docket No. 59096, 128 Nev. 934, 2012 WL 2196354 (*Order Dismissing Appeal*, June 14, 2012) (concluding that an appeal from an order granting a petition for judicial review in a foreclosure mediation matter was moot where the notice of default was rescinded); *Personhood Nev. v. Bristol* 126 Nev. 599, 602, 245

P.3d 572, 574 (2010) (explaining that this court's duty is to decide actual controversies and not give opinions on moot questions). Respondent's motion is granted and this appeal is dismissed.

It is so ORDERED.

Stiglich, J.
Stiglich

Cadish, J.
Cadish

Lee, J.
Lee

cc: Hon. Jerry A. Wiese, Chief Judge
Julio Lagas
McCarthy & Holthus, LLP/Las Vegas
Eighth District Court Clerk