

IN THE SUPREME COURT OF THE STATE OF NEVADA

PAT SONGER,

Appellant,

vs.

RAYMOND DELUCCHI; AND TOMMY
HOLLIS,

Respondents.

No. 67414

FILED

JUL 24 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER TO SHOW CAUSE

This is an appeal from a district court order denying a motion for attorney fees and costs. Our review of the documents submitted to this court reveals a potential jurisdictional defect. Specifically, the notice of appeal appears to be untimely filed under NRAP 4(a) because it appears that it was prematurely filed, before the entry of a final written judgment, and is therefore of no effect. *See* NRAP 4(a)(1); *Rust v. Clark Cty. School District*, 103 Nev. 686, 747 P.2d 1380 (1987). Appellant informs this court that the district court has set a hearing for September 1, 2015, to consider respondents' "Motion for Order of Final Dismissal" and appellant's opposition thereto. Because it appears no final judgment has been entered, appellant's appeal from the order denying attorney fees and costs is premature. *See* NRAP 3A(b)(8) (allowing appeals from special orders after final judgment); *Lee v. GNLV Corp.*, 116 Nev. 424, 996 P.2d 416 (2000) (explaining that attorney fee and cost awards rendered after a final judgment are appealable post-judgment orders).

Accordingly, appellant shall have thirty days from the date of this order within which to show cause why this appeal should not be dismissed for lack of jurisdiction. In responding to this order, appellant shall submit documentation that establishes this court's jurisdiction including, but not necessarily limited to, a final written order dismissing

the action. We caution appellant that failure to demonstrate that this court has jurisdiction may result in this court's dismissal of this appeal. Briefing in this appeal shall be suspended pending further order of this court. Respondents may file any reply within ten days from the date that appellant's response is served.

It is so ORDERED.¹

1. Sanders, C.J.

cc: Lipson Neilson Cole Seltzer & Garin, P.C.
Law Office of Daniel Marks

¹Appellant's motion for an extension of time to file the opening brief is denied as moot.