

IN THE SUPREME COURT OF THE STATE OF NEVADA

SATICOY BAY LLC SERIES 350
DURANGO 104

Appellant,

vs.

WELLS FARGO HOME
MORTGAGE, N.A.,

Respondent.

Case No.: 68630

Electronically Filed
May 10 2017 03:52 p.m.
District Court Elizabeth A. Brown
A-13-688410-6 Clerk of Supreme Court

APPEAL

**From the Eighth Judicial District Court
The Honorable Ronald J. Israel**

WITHDRAWAL OF REQUEST TO STAY REMITTITUR

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MEMORANDUM OF POINTS AND AUTHORITIES

This Court issued a published opinion in this matter on January 26, 2017. On February 6, 2017, Wells Fargo applied to this Court for a stay of the issuance of remittitur to the Eighth Judicial District Court pursuant to Rule 41(b) of the Nevada Rules of Appellate Procedure, pending Wells Fargo's potential application to the United States Supreme Court for a writ of certiorari. On February 8, 2017, this Court issued an Order staying issuance of the remittitur, pending the filing of a petition for writ of certiorari by June 21, 2017, or pending the final disposition of certiorari proceedings thereafter, if a petition were filed.

Wells Fargo appreciates this Court's forbearance, and writes to inform this Court that it has, upon further consideration, determined not to file a petition for certiorari in the United States Supreme Court in this appeal, in light of the current petition for certiorari now pending in the matter of *Bourne Valley Court Trust v. Wells Fargo Bank*.

Wells Fargo thus gives notice of that fact to the Court and withdraws its prior request for stay of the remittitur in this matter.

DATED: May 10, 2017

SNELL & WILMER L.L.P.

/s/ Kelly H. Dove

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Attorneys for Respondent

WELLS FARGO HOME MORTGAGE, N.A.

CERTIFICATE OF SERVICE

I, the undersigned, declare under penalty of perjury, that I am over the age of eighteen (18) years, and I am not a party to, nor interested in, this action. On May 10, 2017, I caused to be served a true and correct copy of the foregoing **WITHDRAWAL OF REQUEST TO STAY REMITTITUR** by the method indicated:

- ☐ **BY FAX:** by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m. pursuant to EDCR Rule 7.26(a). A printed transmission record is attached to the file copy of this document(s).
- ☐ **BY EMAIL:** by emailing a PDF of the document(s) listed above to the email addresses of the individual(s) listed below:
- ☐ **BY OVERNIGHT MAIL:** by causing document(s) to be picked up by an overnight delivery service company for delivery to the addressee(s) on the next business day.
- ☐ **BY U.S. MAIL:** by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Las Vegas, Nevada addressed as set forth below:
- ☒ **BY ELECTRONIC SUBMISSION:** submitted to the above-entitled Court for electronic filing and service upon the Court's Service List for the above-referenced case.

/s/ Ruby Lengsavath
An Employee of Snell & Wilmer L.L.P.