

IN THE SUPREME COURT OF THE STATE OF NEVADA

K & P HOMES,
Appellant,
vs.
CHRISTIANA TRUST,
Respondent.

No. 69966

FILED

APR 08 2016

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

**ORDER ACCEPTING CERTIFIED QUESTION, DIRECTING
BRIEFING AND DIRECTING SUBMISSION OF FILING FEE**

This matter involves a legal question certified to this court, under NRAP 5, by the United States District Court for the District of Nevada. Specifically, the U.S. District Court has certified the following question to this court:

Does the rule of *SFR Investments Pool 1, LLC v. U.S. Bank, N.A.*, 334 P.3d 408 (Nev. 2014) that foreclosures under NRS 116.3116 extinguish first security interests apply retroactively to foreclosures occurring prior to the date of that decision?

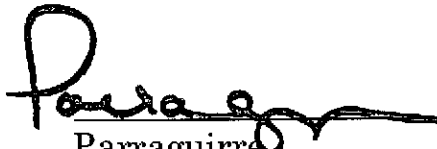
As no clearly controlling Nevada precedent explicitly answers this legal question and the answer may determine part of the federal case, we accept this certified question. See NRAP 5(a); *Volvo Cars of N. Am., Inc. v. Ricci*, 122 Nev. 746, 749-51, 137 P.3d 1161, 1163-64 (2006).

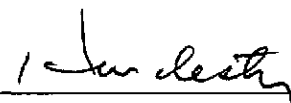
Accordingly, appellant shall have 30 days from the date of this order to file and serve an opening brief. Respondent shall have 30 days from the date the opening brief is served to file and serve an answering brief. Appellant shall then have 20 days from the date the answering brief is served to file and serve any reply brief. The parties' briefs shall comply with NRAP 28, 28.2, 31(c), and 32. See NRAP 5(g)(2). Because portions of

the record do not appear necessary to answer the certified question, the parties are not required to file a joint appendix. See NRAP 5(d).

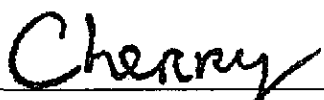
Lastly, in any proceeding under NRAP 5, fees "shall be the same as in civil appeals . . . and shall be equally divided between the parties unless otherwise ordered by the certifying court." NRAP 5(e). The United States District Court order does not address the payment of this court's fees. Accordingly, appellant and respondent shall each tender to the clerk of this court, within 11 days from the date of this order, the sum of \$125, representing half of the filing fee. See NRAP 3(e); NRAP 5(e).


It is so ORDERED.


 C.J.
Parraguirre


 J.
Hardesty

 J.
Douglas

 J.
Cherry

 J.
Saitta

 J.
Gibbons

 J.
Pickering

cc: Wright Law Group
Wright, Finlay & Zak, LLP/Las Vegas
Clerk, United States District Court for the District of Nevada