

IN THE SUPREME COURT OF THE STATE OF NEVADA

FIRST TRANSIT, INC.; AND JAY
FARRALES,

Appellants,

vs.

JACK CHERNIKOFF; AND ELAINE
CHERNIKOFF,

Respondents.

No. 70164

FILED

MAR 08 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER TO SHOW CAUSE

Appellants have filed a motion to stay the briefing schedule pending resolution of a jurisdictional issue. The motion is unopposed. This is an appeal from a judgment entered upon a jury verdict in a personal injury action. Appellants filed a timely motion to alter or amend the judgment and a motion for new trial prior to filing the notice of appeal. *See* NRCP 59. On August 16, 2016, the district court orally denied the motion for new trial and denied in part the motion to alter or amend the judgment. Accordingly, it appears that this appeal may be premature, *see* NRAP 4(a)(4), (6), as it appears that no written order has been entered resolving the post-trial tolling motions. Accordingly, appellants shall have 30 days from the date of this order to show cause why this appeal should not be dismissed for lack of jurisdiction.

In responding to this order, appellants should submit documentation that establishes this court's jurisdiction including, but not necessarily limited to, a written order resolving the post-trial motions. We caution appellants that failure to demonstrate that this court has jurisdiction may result in this court's dismissal of this appeal. The briefing schedule in this appeal shall be suspended pending further order

of this court.¹ Respondents may file any reply within 11 days from the date that appellants' response is served.

It is so ORDERED.²

Cherry, C.J.

cc: Lewis Roca Rothgerber Christie LLP/Las Vegas
Alverson Taylor Mortensen & Sanders
Cloward Hicks & Brasier PLLC
Charles Allen Law Firm
Marquis Aurbach Coffing
Maria Garibay, Court Recorder

¹Appellants' motion to stay the briefing schedule is denied.

²We grant court recorder Maria Garibay's motions for extensions of time to prepare the transcripts, and we direct the clerk of this court to file the notice of delivery received on December 19, 2016. NRAP 9.