

IN THE SUPREME COURT OF THE STATE OF NEVADA

CARLOS A. HUERTA, AN
INDIVIDUAL; AND GO GLOBAL, INC.,
A NEVADA CORPORATION,

Appellants,

vs.

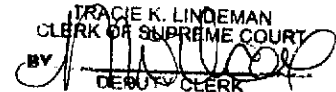
SIG ROGICH, A/K/A SIGMUND
ROGICH, AS TRUSTEE OF THE
ROGICH FAMILY IRREVOCABLE
TRUST; ELDORADO HILLS, LLC, A
NEVADA LIMITED LIABILITY
COMPANY,

Respondents.

No. 70492

FILED

JUL 06 2016

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER TO SHOW CAUSE

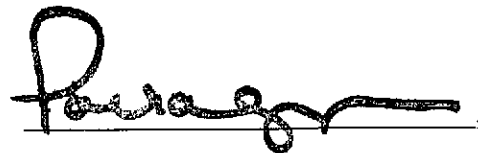
This is an appeal from “all judgments and orders,” “Order Denying Plaintiffs’ Motion for Reconsideration or Relief from Order Granting Motion for Partial Summary Judgment,” and “all rulings and orders made appealable by any of the foregoing.” Our preliminary review of the docketing statement and the documents submitted to this court pursuant to NRAP 3(g) reveals a potential jurisdictional defect. Specifically, while a timely motion for reconsideration will toll the time for filing a notice of appeal from a final judgment or appealable order, an untimely motion for reconsideration does not toll the time to appeal. See NRAP 4(a)(6); *AA Primo Builders, LLC v. Washington*, 126 Nev. 578, 245 P.3d 1190 (2010); *Morrell v. Edwards*, 98 Nev. 91, 93, 640 P.2d 1322, 1324 (1982). According to the district court docket entries, the order granting the motion for partial summary judgment was entered November 6, 2014. Accordingly, a motion for reconsideration was due within 10 days of the entry of the order granting partial summary judgment. See NRCP 59(b)

16-20864

("A motion for a new trial shall be filed no later than 10 days after service of written notice of the entry of the judgment."). Appellants' motion for reconsideration was not filed until February 22, 2016. Appellants did not file a notice of appeal until May 25, 2016, after the resolution of the motion for reconsideration on April 28, 2016. An order denying a motion for reconsideration is not an appealable order. *Alvis v. State, Gaming Control Bd.*, 99 Nev. 184, 660 P.2d 980 (1983), disapproved of on other grounds by *AA Primo Builders, LLC v. Washington*, 126 Nev. 578, 245 P.3d 1190 (2010).

Accordingly, appellants shall have 30 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 should submit documentation that establishes this court's jurisdiction. We caution appellants that failure to demonstrate that this court has jurisdiction may result in this court's dismissal of this appeal. The preparation of transcripts and the briefing schedule in this appeal shall be suspended pending further order of this court. Respondents may file any reply within ten days from the date that appellants' response is served.

It is so ORDERED.

 C.J.

cc: Schwartz Flansburg PLLC
Law Office of Andrew M. Leavitt, Esq.
Fennemore Craig, P.C./Las Vegas