

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

SEP 20 2017

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

ORDER DENYING MOTION

The court of appeals affirmed the judgment of the district court on June 29, 2017. The appeal was transferred back to the supreme court, and the remittitur issued on July 26, 2017. On August 10, 2017, appellants filed an untimely motion for an extension of time to file a petition for rehearing. *See* NRAP 40.

Appellants explain that they did not receive notice of the entry of the court of appeals' decision until the receipt for remittitur was filed by the district court on August 4, 2017. "[A] remittitur will be recalled when, but only when, inadvertence, mistake of fact, or an incomplete knowledge of the circumstances of the case on the part of the court or its officers, whether induced by fraud or otherwise, has resulted in an unjust decision." *Wood v. State*, 60 Nev. 139, 141, 104 P.2d 187, 188 (1940). In this case, the remittitur was regularly issued, and appellants have not demonstrated a basis on which the remittitur should be recalled. The motion is therefore

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denied. The clerk of this court shall return, unfiled, the petition for rehearing received via E-Flex on August 9, 2017.

It is so ORDERED.

Cherry, C.J.

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