

IN THE SUPREME COURT OF THE STATE OF NEVADA

CARRINGTON MORTGAGE
HOLDINGS, LLC,

Appellant,


vs.

R VENTURES VIII, LLC, A NEVADA
SERIES LIMITED LIABILITY
COMPANY OF THE CONTAINER R
VENTURES, LLC UNDER NRS 86.296,
Respondent.

No. 70545

FILED

DEC 09 2016

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER TO SHOW CAUSE

This is an appeal from an order granting summary judgment and quieting title. 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, it appears that the district court has not entered a final written judgment adjudicating all the rights and liabilities of all the parties, and the district court did not certify its order/judgment as final pursuant to NRCP 54(b). *Lee v. GNLV Corp.*, 116 Nev. 424, 996 P.2d 416 (2000); *KDI Sylvan Pools v. Workman*, 107 Nev. 340, 810 P.2d 1217 (1991). The following parties appear to remain below: Taylor, Bean & Whitaker Mortgage Holdings, Corp.; and Joyce Pierce. See *Rae v. All American Life & Cas. Co.*, 95 Nev. 920, 605 P.2d 196 (1979) (indicating a named defendant becomes a party when served); cf. *KDI Sylvan*, 107 Nev. at 342, 810 P.2d at 1219 (stating that a party's disinclination to pursue a claim does not render the claim moot or operate as a formal dismissal of the claim).

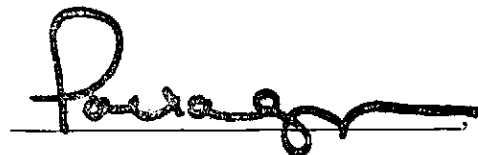
Appellant has filed a notice of entry of a stipulation approved by the district court to certify the judgments on appeal as final pursuant to NRCP 54(b). However, the proposed NRCP 54(b) certification appears

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improper because the district court did not make an express determination that there is no just reason for delay. *Aldabe v. Evans*, 83 Nev. 135, 425 P.2d 598 (1967).

Accordingly, appellant 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 including, but not necessarily limited to, a corrected district court order certifying the decision as final pursuant to NRCP 54(b). We caution appellant 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. Respondent may file any reply within 11 days from the date that appellant's response is served.

It is so ORDERED.

 C.J.

cc: Akerman LLP/Las Vegas
Cooper Coons Ltd.