

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA LOCAL
GOVERNMENT EMPLOYEE-
MANAGEMENT RELATIONS BOARD,
Appellant,

vs.

EDUCATION SUPPORT EMPLOYEES
ASSOCIATION; INTERNATIONAL
BROTHERHOOD OF TEAMSTERS,
LOCAL 14; AND CLARK COUNTY
SCHOOL DISTRICT,

Respondents.

No. 70586

FILED

NOV 02 2016

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER TO SHOW CAUSE

This is an appeal from a district court order granting a petition for judicial review. Our initial review of the docketing statement and documents before this court reveals a potential jurisdictional defect. It is not clear whether the challenged order is substantively appealable.

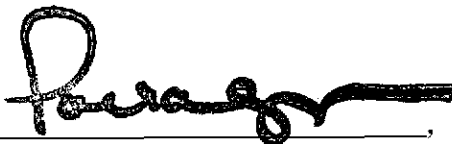
Appellant asserts in its docketing statement that the challenged order is appealable as a final judgment under NRAP 3A(b)(1). However, it appears that the district court entered a final judgment in this matter on June 8, 2016, when it dismissed the petition for judicial review filed on March 19, 2016. *See Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000) (defining a final judgment); *see also Dredge v. Peccole*, 89 Nev. 26, 27, 505 P.2d 290, 290 (1973) (an order dismissing a case without prejudice is a final judgment). Because there can only be one final judgment in a case, *Alper v. Posin*, 77 Nev. 328, 331, 363 P.2d 502, 503 (1961), *overruled on other grounds* by *Lee*, 116 Nev. at 426, 996 P.2d at 417, it is unclear how or if the challenged order, which grants a subsequent petition for judicial review filed in the same district court case

number, can be considered a final judgment. It also appears that the challenged order is not appealable as a special order after final judgment because it does not appear to affect the rights of the parties growing out of the final judgment. See *Gumm v. Mainor*, 118 Nev. 912, 914, 59 P.3d 1220, 1221 (2002) (defining a special order after final judgment).

Accordingly, appellant shall have 30 days from the date of this order to show cause why this appeal should not be dismissed for lack of jurisdiction. Respondents may file any reply within 11 days of service of appellant's response. We caution appellant that failure to demonstrate that this court has jurisdiction may result in the dismissal of this appeal.

Briefing of this appeal is suspended pending further order of this court.

It is so ORDERED.

 C.J.

cc: Attorney General/Carson City
Attorney General/Las Vegas
Dyer, Lawrence, Penrose, Flaherty, Donaldson & Prunty
McCracken, Stemerman & Holsberry
Clark County School District Legal Department