

IN THE SUPREME COURT OF THE STATE OF NEVADA

BOCA PARK MARTKETPLACE
SYNDICATIONS GROUP, LLC, A
NEVADA LIMITED LIABILITY
COMPANY,

Appellant,

vs.

HIGCO, INC., A NEVADA
CORPORATION,

Respondent.

No. 71085

FILED

NOV 01 2016

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

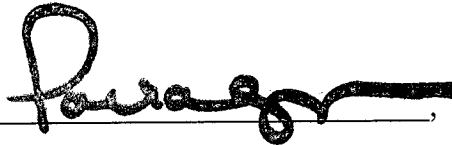
ORDER TO SHOW CAUSE

This is an appeal from findings of fact, conclusions of law, and judgment in a commercial breach of contract matter. 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, the notice of appeal appears to be untimely filed under NRAP 4(a) because it appears that it was filed after the timely filing of a tolling motion under NRAP 4(a)(2) and before the tolling motion was formally resolved. A timely tolling motion terminates the thirty-day appeal period, and a notice of appeal is of no effect if it is filed after such a tolling motion is filed, and before the district court enters a written order finally resolving the motion. See NRAP 4(a)(2).

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 final order resolving the motion filed pursuant to NRCP 52 and 59. We caution appellant 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. Respondent may file any reply within 11 days from the date that appellant's response is served.

It is so ORDERED.

 C.J.

cc: Hejmanowski & McCrea LLC
Garman Turner Gordon
Jill Hawkins, Court Reporter