

IN THE SUPREME COURT OF THE STATE OF NEVADA

A CAB, LLC,

Appellant,

vs.

MICHAEL MURRAY; AND MICHAEL
RENO, INDIVIDUALLY AND ON
BEHALF OF ALL OTHERS SIMILARLY
SITUATED,

Respondents.

No. 77050

FILED

DEC 09 2019

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

*ORDER RECALLING REMITTITUR, REINSTATING APPEAL,
AND TO SHOW CAUSE*

A Cab, LLC, filed notices of appeal challenging a district court summary judgment and numerous post-judgment orders. On May 7, 2019, this court entered an order dismissing A Cab's appeal without prejudice, pursuant to the operation of the automatic bankruptcy stay. A Cab has now moved to reinstate this appeal, demonstrating that the involuntary bankruptcy petition was dismissed on September 26, 2019. Respondents do not oppose the motion to reinstate. Cause appearing, the motion is granted. The clerk of this court shall recall the remittitur and reinstate A Cab's appeal. The clerk shall modify the caption in this appeal to conform to the caption on this order.

Review of A Cab's notices of appeal and the documents before this court reveals potential jurisdictional defects in regard to some of the post-judgment orders appealed from. First, it appears that the appeal from the October 22, 2018, order is untimely. Notice of entry of that order appears to have been served on October 22, 2018, however, the amended

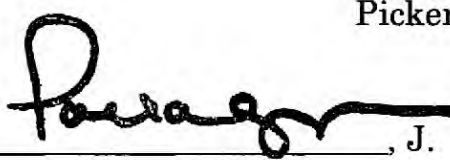
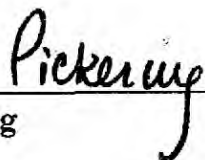

notice of appeal was not filed until January 15, 2019, well after the 30-day appeal period established in NRAP 4(a)(1). An untimely notice of appeal fails to vest jurisdiction in this court. *See Healy v. Volkswagenwerk Aktiengesellschaft*, 103 Nev. 329, 741 P.2d 432 (1987).

Second, A Cab does not appear to be aggrieved by either the March 4, 2019, order regarding special master fees, or the March 5, 2019, order denying respondents' motion to lift stay and continuing various other motions. Only an aggrieved party has standing to appeal. NRAP 3A(a).

Accordingly, A Cab shall have 30 days from the date of this order to show cause why this appeal should not be dismissed for lack of jurisdiction as it relates to the above orders. Respondents may file any reply within 14 days of service of appellant's response. Failure to demonstrate that this court has jurisdiction may result in the dismissal of A Cab's appeal as it relates to these orders.

The briefing schedule shall be suspended pending further order of this court.

It is so ORDERED.

 _____, J. Parraguirre	 _____, J. Pickering	 _____, J. Cadish
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cc: Hon. Kenneth C. Cory, District Judge
Rodriguez Law Offices, P.C.
Premier Legal Group
Hutchison & Steffen, LLC/Las Vegas
Leon Greenberg Professional Corporation
Eighth District Court Clerk