

IN THE SUPREME COURT OF THE STATE OF NEVADA

CRISWELL RADOVAN, LLC, A
NEVADA LIMITED LIABILITY
COMPANY; CR CAL NEVA, LLC, A
NEVADA LIMITED LIABILITY
COMPANY; ROBERT RADOVAN;
WILLIAM CRISWELL; AND POWELL
COLEMAN AND ARNOLD LLP,

Appellants,

vs.

GEORGE STUART YOUNT,
INDIVIDUALLY AND IN HIS
CAPACITY AS OWNER OF GEORGE
STUART YOUNT IRA,

Respondent.

No. 77987

FILED

JUN 26 2019

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

ORDER TO SHOW CAUSE

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 order designated in the notice of appeal is not substantively appealable. See NRAP 3A(b). The substantive ruling of the district court is that it declines to take any action regarding the motion to alter or amend, citing its lack of jurisdiction because of the pending appeal from the underlying judgment in *Yount vs. Criswell Radovan, LLC*, Docket No. 74275. See *Rust v. Clark Cty. Sch. Dist.*, 103 Nev. 686, 689, 747 P.2d 1380, 1382 (1987) (recognizing that a timely notice of appeal divests the district court of jurisdiction). This court has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule. *Taylor Constr. Co. v. Hilton Hotels*, 100 Nev. 207, 678 P.2d 1152 (1984). No statute or court rule permits an appeal from an order of the district court declining to take action on a motion.

Accordingly, appellants 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. 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 14 days from the date that appellants' response is served.

It is so ORDERED.

 C.J.

cc: Howard & Howard Attorneys PLLC
Lewis Roca Rothgerber Christie LLP/Las Vegas