

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES TAYLOR; NEVADA GAMING
CONTROL BOARD; AND AMERICAN
GAMING ASSOCIATION,
Appellants/Cross-Respondents,
vs.
DR. NICHOLAS G. COLON,
Respondent/Cross-Appellant.

No. 78517

FILED

JUN 26 2019

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

ORDER TO SHOW CAUSE

This is an appeal and cross-appeal from a district court order denying a special motion to dismiss under NRS 41.660. Initial review of respondent/cross-appellant's notice of appeal reveals a potential jurisdictional defect. It appears that respondent/cross-appellant may not be aggrieved by the challenged judgment.

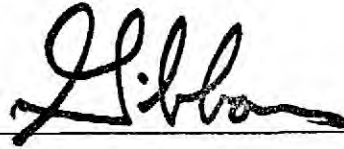
Only a party aggrieved by a judgment may appeal. NRAP 3A(a). "A party who prevails in the district court and who does not wish to alter any rights of the parties arising from the judgment is not aggrieved by the judgment." *Ford v. Showboat Operating Co.*, 110 Nev. 752, 756, 877 P.2d 546, 549 (1994). Here, the district court denied appellants/cross-respondents' special motion to dismiss respondent/cross-appellant's complaint. Thus, respondent/cross-appellant prevailed in the district court. Respondent/cross-appellant states that it appeals from the portion of the order concluding that its argument regarding the constitutionality of NRS 41.635 et seq. lacked merit. But no appeal may be taken from the district court's conclusions of law. *Id.*

Accordingly, respondent/cross-appellant shall have 30 days from the date of this order to show cause why his appeal should not be dismissed for lack of jurisdiction. Appellants/cross-respondents may file

any reply within 14 days of respondent/cross-appellant's response. Failure to demonstrate that this court has jurisdiction may result in the dismissal of the cross-appeal.

The deadlines to file documents in this matter are suspended pending further order of this court.

It is so ORDERED.

 C.J.

cc: Attorney General/Carson City
Attorney General/Las Vegas
McDonald Carano LLP/Las Vegas
Nersesian & Sankiewicz