

IN THE SUPREME COURT OF THE STATE OF NEVADA

CAPRIATI CONSTRUCTION CORP.,
INC., A NEVADA CORPORATION,

Appellant,

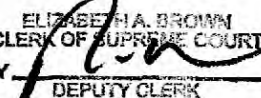
vs.

BAHRAM YAHYAVI, AN INDIVIDUAL,
Respondent.

No. 80107

FILED

JAN 27 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER TO SHOW CAUSE

This is an appeal from a judgment upon a jury verdict and an order imposing sanctions. Initial review of the docketing statement and documents before this court reveals a potential jurisdictional defect. It appears that the notice of appeal was prematurely filed after the filing of timely tolling motions for a new trial and for reconsideration, but prior to entry of written orders resolving these motions. See NRAP 4(a)(4)(D); NRAP 4(a)(6); *AA Primo Builders, LLC v. Washington*, 126 Nev. 578, 585, 245 P.3d 1190, 1195 (2010) (describing when a post-judgment motion for reconsideration carries tolling effect); *Lytle v. Rosemere Estates Prop. Owners*, 129 Nev. 923, 927, 314 P.3d 946, 949 (2013) (a motion to alter or amend directed at an independently appealable order carries tolling effect). It thus appears that this court lacks jurisdiction to consider this appeal. See NRAP 4(a)(6) ("A premature notice of appeal does not divest the district court of jurisdiction.").

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. In responding to this order, appellant should provide copies of any written, file-stamped orders resolving the new trial motion and the motion for reconsideration. Respondent 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 this appeal.

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

It is so ORDERED

Pickering, C.J.

cc: Wilson, Elser, Moskowitz, Edelman & Dicker, LLP/Las Vegas
Law Offices of Eric R. Larsen
Hutchison & Steffen, LLC/Las Vegas
Prince Law Group