

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE: D.O.T. LITIGATION

No. 80230

NEVADA WELLNESS CENTER, LLC,  
Appellant,

vs.

GREENMART OF NEVADA NLV LLC;  
NEVADA ORGANIC REMEDIES, LLC;  
THE STATE OF NEVADA  
DEPARTMENT OF TAXATION;  
HELPING HANDS WELLNESS  
CENTER LLC; LONE MOUNTAIN  
PARTNERS, LLC; INTEGRAL  
ASSOCIATES LLC, D/B/A ESSENCE  
CANNABIS DISPENSARIES; ESSENCE  
TROPICANA LLC; ESSENCE  
HENDERSON, LLC; CPCM HOLDINGS,  
LLC, D/B/A THRIVE CANNABIS  
MARKETPLACE; COMMERCE PARK  
MEDICAL, LLC; CHEYENNE  
MEDICAL, LLC; FIDELIS HOLDINGS,  
LLC; GBS NEVADA PARTNERS, LLC;  
GRAVITAS NEVADA, LLC; MEDIFARM  
IV LLC; MEDIFARM, LLC; NEVADA  
HOLISTIC MEDICINE, LLC; NEVADA  
PURE, LLC; NULEAF INCLINE  
DISPENSARY, LLC; PARADISE  
WELLNESS CENTER, LLC; SERENITY  
WELLNESS CENTER LLC; TGIG, LLC;  
TRYKE COMPANIES RENO, LLC;  
TRYKE COMPANIES SO NV, LLC;  
COMPASSIONATE TEAM OF LAS  
VEGAS LLC; DP HOLDINGS; CLEAR  
RIVER LLC; LIVFREE WELLNESS,  
LLC; MM DEVELOPMENT COMPANY,  
INC.; ETW MANAGMENT GROUP LLC;  
GLOBAL HARMONY LLC; GREEN  
LEAF FARMS HOLDINGS LLC;  
GREEN THERAPEUTICS LLC;

**FILED**

**AUG 31 2020**

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

HERBAL CHOICE INC.; JUST  
QUALITY, LLC; LIBRA WELLNESS  
CENTER, LLC; ROMBOUGH REAL  
ESTATE INC., D/B/A MOTHER HERB;  
NEVCANN LLC; RED EARTH LLC;  
THC NEVADA LLC; ZION GARDENS  
LLC; MMOF VEGAS RETAIL, INC.;  
LAS VEGAS WELLNESS;  
COMPASSION LLC; QUALCAN LLC; D  
LUX LLC; DEEP ROOTS MEDICAL  
LLC; EUPHORIA WELLNESS LLC;  
CLARK NATURAL MEDICINAL  
SOLUTIONS LLC, D/B/A NUVEDA;  
CLARK NMSD LLC, D/B/A NUVEDA; D  
H FLAMINGO INC., D/B/A  
APOTHECARY SHOPPE; INYO FINE  
CANNABIS DISPENSARY LLC, D/B/A  
INYO FINE CANNABIS DISPENSARY;  
NYE NATURAL MEDICINAL  
SOLUTIONS LLC, D/B/A NUVEDA;  
SURTERRA HOLDINGS INC.; AGUA  
STREET LLC; BIONEVA  
INNOVATIONS OF CARSON CITY  
LLC; BLUE COYOTE RANCH LLC;  
GOOD CHEMISTRY NEVADA LLC;  
GREENLEAF WELLNESS INC.; HIGH  
SIERRA HOLISTICS LLC; LVMC C  
AND PLLC; MILLER FARMS LLC;  
TWELVE TWELVE LLC; SOUTHERN  
NEVADA GROWERS LLC; WAVESEER  
OF NEVADA LLC; HARVEST OF  
NEVADA LLC; GRAVITAS NEVADA  
LTD.; GRAVITAS HENDERSON LLC;  
FRANKLIN BIOSCIENCE NV LLC;  
WELLNESS CONNECTION OF  
NEVADA, LLC; EUREKA NEWGEN  
FARMS LLC; STRIVE WELLNESS OF  
NEVADA LLC; RURAL REMEDIES  
LLC; PURE TONIC CONCENTRATES  
LLC; NEVADA MEDICAL GROUP LLC;  
AND NCMM LLC,

Respondents.

*ORDER DISMISSING APPEAL*

This is an appeal from a district court order granting injunctive relief. Eighth Judicial District Court, Clark County; Elizabeth Goff Gonzalez, Judge.

This court ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. It appeared that the challenged order, entered on August 23, 2019, was filed only in case A-19-786962-B.<sup>1</sup> Although an amended notice of entry of the challenged order bearing the underlying district court case number and caption was filed in this case, the order itself bore only a single case number and the corresponding caption. Where the order was not filed in the district court case underlying this appeal (A-19-787540-W), it appeared that the order was not subject to challenge in the context of a notice of appeal filed in this case.<sup>2</sup>

Appellant asserts that this court has jurisdiction because the district court cases were consolidated and a copy of the August 23, 2019, order was filed in the consolidated cases. However, this court remains unconvinced that it has jurisdiction to consider an appeal from an order entered in a case different from the one the notice of appeal was filed in, even where the cases were coordinated at the time of the hearing on the challenged order and were later consolidated. *See generally Matter of Estate of Sarge*, 134 Nev. 866, 870-71, 432 P.3d 718, 722 (2018) (consolidated cases

---

<sup>1</sup>The order is on appeal in Docket No. 79668.

<sup>2</sup>It appears that the district court cases were coordinated, but not consolidated, at the time the challenged order was entered.

retain their separate identities for purposes of appeal); *see Moran v. Bonneville Square Assocs.*, 117 Nev. 525, 25 P.3d 898 (2001) (“[T]he burden rests squarely upon the shoulders of a party seeking to invoke our jurisdiction to establish, to our satisfaction, that this court does in fact have jurisdiction.”). Accordingly, this appeal is dismissed.

It is so ORDERED.

Pickering, C.J.  
Pickering

Gibbons, J.  
Gibbons

Stiglich, J.  
Stiglich

cc: Hon. Elizabeth Goff Gonzalez, District Judge  
Parker, Nelson & Associates  
Attorney General/Carson City  
Brownstein Hyatt Farber Schreck, LLP/Las Vegas  
McLetchie Law  
Black & LoBello  
Koch & Scow, LLC  
Gunderson Law Firm  
CV3 Legal  
Clarence E. Gamble  
Snell & Wilmer, LLP/Las Vegas  
Fennemore Craig P.C./Reno  
Simon Law  
Attorney General/Las Vegas  
Bailey Kennedy  
Prince Law Group  
Clark Hill PLLC  
H1 Law Group  
Hymanson & Hymanson  
Pisanelli Bice, PLLC  
Holley Driggs/Reno  
JK Legal & Consulting, LLC  
Maier Gutierrez & Associates  
Bendavid Law  
Argentum Law  
Armstrong Teasdale, LLP/Las Vegas  
Copenhaver & McConnell, PC.  
Howard & Howard Attorneys PLLC  
Semenza Kircher Rickard  
Las Vegas Defense Group, LLC  
Kemp, Jones & Coulthard, LLP  
Jones Lovelock  
Christiansen Law Offices  
Miller Law, Inc.  
Robertson, Johnson, Miller & Williamson  
Maupin, Cox & LeGoy  
Vohwinkel Law  
Handelin Law Ltd.  
Eighth District Court Clerk