

IN THE SUPREME COURT OF THE STATE OF NEVADA

PAUL D.S. EDWARDS,

Appellant,

vs.

TIMESHARE LIQUIDATORS, LLC,
A/D/B/A TLC RESORT LIQUIDATORS,
A/D/B/A TLC RESORTS, A/D/B/A TLC
RESORTS VACATION CLUB, A/D/B/A
TLC RESORTS VACATION CLUB, LLC,
A/D/B/A TLC TRAVEL, A/D/B/A
TLCRESORTS.COM, A/D/B/A VIP
TRAVEL, A/D/BA/ VIP VACATIONS;
CASH4ASKING, LLC, A/D/B/A
CASH4ASKING.COM; STANLEY C.
MULLIS, A/K/A STANLEY MULLIS,
A/K/A STAN MULLIS; ANGEL MULLIS,
A/K/A ANGEL C. MULLIS; EDUARDO
ROMAY HERNANDEZ, A/K/A;
EDUARDO L. ROMAYHERNANDEZ,
A/K/A EDUARDO ROMARY, A/K/A
EDUARDO L. ROMAY HERNANDEZ,
A/K/A HERNANDEZ EDUARDO
ROMAY, A/K/A HERNANDEZ
EDUARDO L. ROMAY, A/K/A
EDUARDO ROMAY, A/K/A EDUARDO
L. ROMAY; AND GLADYS C. RIONDA,
A/K/A SUITO GLADYS RIONDA, A/K/A
GLADYS C. RIONDA-SUITO, A/K/A
GLADY SUITO, A/K/A GLADYS
RIONDA SUITO,

Respondents.

PAUL D.S. EDWARDS,

Appellant,

vs.

TIMESHARE LIQUIDATORS, LLC,
A/D/B/A TLC RESORT LIQUIDATORS,
A/D/B/A TLC RESORTS, A/D/B/A TLC
RESORTS VACATION CLUB, A/D/B/A
TLC RESORTS VACATION CLUB, LLC,

No. 81595

FILED

APR 08 2021

ELIZABETH A. BRADY
CLERK OF SUPREME COURT
BY: *[Signature]*
DEPUTY CLERK

No. 81759

A/D/B/A TLC TRAVEL, A/D/B/A
TLCRESORTS.COM, A/D/B/A VIP
TRAVEL, A/D/B/A VIP VACATIONS;
CASH4ASKING, LLC, A/D/B/A
CASH4ASKING.COM; STANLEY C.
MULLIS, A/K/A STANLEY MULLIS,
A/K/A STAN MULLIS; ANGEL MULLIS,
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EDUARDO L. ROMAY HERNANDEZ,
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ROMAY, A/K/A HERNANDEZ
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EDUARDO ROMAY, A/K/A EDUARDO
L. ROMAY; AND GLADYS C. RIONDA,
A/K/A SUITO GLADYS RIONDA, A/K/A;
GLADYS C. RIONDA-SUITO, A/K/A
GLADY SUITO, A/K/A GLADYS
RIONDA SUITO,

Respondents.

*ORDER GRANTING MOTION AND PARTIALLY DIMSISING
APPEALS*

Respondents Cash4Asking, LLC, Eduardo Romay Hernandez, and Gladys C. Rionda-Suito (the Cash4Asking respondents) have filed a motion to dismiss these consolidated appeals as to them for lack of a timely notice of appeal. Appellant opposes the motion, and respondents have filed a reply.

Respondents explain that appellant filed a complaint in case number A-18-776375-C against several defendants, not including the Cash4Asking respondents. Appellant then filed another complaint in case number A-19-799140-C naming the Cash4Asking respondents as defendants. The district court consolidated the two cases. On May 4, 2020,

the district court granted the Cash4Asking respondents' motion to strike the complaint in case number A-19-799140-C, and the complaint was stricken in its entirety and the case was dismissed with prejudice. Appellant's claims against the Cash4Asking respondents were finally disposed of by that order. *See Lee v. GNLV Corp.*, 116 Nev. 424, 427, 996 P.2d 416, 417 (2000) (“[A] final judgment is one that disposes of all the issues presented in the case, and leaves nothing for the future consideration of the court, except for post-judgment issues such as attorney’s fees and costs.”); *see also* NRAP 3A(b) (enumerating appealable determinations). Notice of entry was filed and served on May 6, 2020. Appellant however, did not file his notice of appeal until August 5, 2020, after entry of the order also disposing of the claims in case number A-18-766375-C.

In 2018, this court overruled *Mallin v. Farmers Insurance Exchange*, 106 Nev. 606, 609, 797 P.2d 978, 980 (1990), and held that consolidated cases retain their separate identities so that an order resolving all of the claims in one of the consolidated cases is immediately appealable as a final judgment. *Matter of Estate of Sarge*, 134 Nev. 866, 432 P.3d 718 (2018). The district court order that completely resolved the complaint against the Cash4Asking respondents in case number A-19-799140-C was therefore immediately appealable as a final judgment, and the time to file the notice of appeal began to run upon service of notice of entry of that order on May 6, 2020. Because the notice of appeal was not filed until August 5, 2020, it was untimely filed, and this court lacks jurisdiction over any appeal in district court case number A-19-799140-C. Appellant may only challenge the judgment to the extent it resolves case number A-18-776375-C. The motion to dismiss is granted and, as the Cash4Asking respondents were never party to the A-18-776375-C case, they are dismissed entirely from

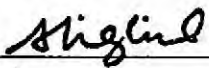
these appeals. The appeals shall proceed regarding the remaining respondents.

Appellant shall have 30 days from the date of this order to file and serve either an opening brief that complies with NRAP 28 and NRAP 32, or the informal brief form for pro se parties provided by the clerk of this court. Respondents need not file a response unless directed to do so by this court. NRAP 46A(c). Failure to comply timely with this order may result in the dismissal of these appeals. *See* NRAP 31(d).

It is so ORDERED.¹

 , J.

Parraguirre

 , J.
Stiglich

 , J.
Silver

cc: Hon. Nancy L. Allf, District Judge
Paul D.S. Edwards
Clark McCourt, LLC
Marquis Aurbach Coffing
Eighth District Court Clerk

¹Appellant's motion for an extension of time to file the opening brief is denied as moot.