

IN THE SUPREME COURT OF THE STATE OF NEVADA

LANCE GILMAN, AN INDIVIDUAL,
Appellant,
vs.
SAM TOLL, AN INDIVIDUAL,
Respondent.

No. 81583

LANCE GILMAN,
Appellant,
vs.
SAM TOLL,
Respondent.

No. 81726

LANCE GILMAN,
Appellant,
vs.
SAM TOLL,
Respondent.

No. 81874

FILED

NOV 02 2020

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

ORDER TO SHOW CAUSE

Docket No. 81583 is an appeal from an order granting a special motion to dismiss pursuant to NRS 41.670. Docket No. 81726 is an appeal from an award of statutory damages pursuant to NRS 41.670(1)(b). Docket No. 81874 is an appeal from the postjudgment award of attorney fees. Preliminary review of the docketing statement and the documents submitted to this court pursuant to NRAP 3(g) reveals a potential jurisdictional defect with respect to the appeal in Docket No. 81583. Specifically, it appears the order is not final for purposes of appeal because it expressly directs appellant to show cause regarding the anticipated award of statutory damages, which were then awarded in the subsequent order. NRS 41.670(4) provides a right of interlocutory appeal to challenge the denial of an anti-SLAPP motion brought under NRS 41.660; however, "[e]ven for appealable interlocutory orders, . . . , we have consistently required that, for an appeal to be proper, the order must finally resolve the

particular issue.” *Sicor, Inc. v. Sacks*, 127 Nev. 896, 900, 266 P.3d 618, 620 (2011). It appears that the final, appealable order is the order entered July 29, 2020, awarding the statutory damages. It appears that the order granting the special motion to dismiss may be challenged as an interlocutory order within the appeal from the order awarding damages.

Accordingly, appellant shall have 30 days from the date of this order within which to show cause why the appeal in Docket No. 81583 should not be dismissed for lack of jurisdiction. Failure to demonstrate that this court has jurisdiction may result in this court’s dismissal of the appeal in Docket No. 81583. The deadlines for filing documents in this appeal shall be suspended pending further order of this court. Respondent may file any reply within 14 days from the date that appellant’s response is served.

It is so ORDERED.

Pickering, C.J.

cc: Flangas Dalacas Law Group, Inc.
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