

IN THE SUPREME COURT OF THE STATE OF NEVADA

REDDY ICE CORPORATION; AND  
GALLAGHER BASSETT SERVICES,  
INC.,

Appellants,

vs.

FRED GILL,

Respondent.

No. 82109

**FILED**

**FEB 16 2022**

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

*ORDER TO SHOW CAUSE*

This is an appeal from a district court order denying a motion for reconsideration, to alter judgment, and/or to amend findings. Initial review of the docketing statement and documents before this court reveals potential jurisdictional defects.

First, an order denying a motion for reconsideration, to alter judgment, and/or to amend findings is not substantively appealable. See *Brown v. MHC Stagecoach, LLC*, 129 Nev. 343, 345, 301 P.3d 850, 851 (2013) (this court “may only consider appeals authorized by statute or court rule”); *Uniroyal Goodrich Tire v. Mercer*, 111 Nev. 318, 320 n.1, 890 P.2d 785, 787 n.1 (1995), *superseded on other grounds by statute as stated in RTTC Commc’ns, LLC v. Saratoga Flier, Inc.*, 121 Nev. 34, 110 P.3d 24 (2005) (no appeal may be taken from an order denying a motion to alter or amend); *Alvis v. State*, 99 Nev. 184, 660 P.2d 980 (1983), *overruled on other grounds by AA Primo Builders, LLC v. Washington*, 126 Nev. 578, 245 P.3d 1190 (2010) (an order denying a motion for rehearing is not appealable).

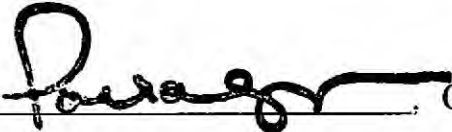
Second, to the extent appellants’ notice of appeal is construed as an appeal from the underlying order granting in part the petition for judicial review, see *Uniroyal*, 111 Nev. at 320 n.1, 890 P.2d at 787 n.1, that order does not appear substantively appealable. An order remanding for

further substantive administrative proceedings is not appealable. *Ayala v. Ceasars Palace*, 119 Nev. 232, 71 P.3d 490 (2002), *overruled on other grounds by Five Star Capital Corp. v. Ruby*, 124 Nev. 1048, 194 P.3d 709 (2008). The order granting in part the petition for judicial review remands to the appeals officer for a new hearing to address whether respondent complied with NRS 617.342 and if any lack of compliance was excused under NRS 617.346(2). It thus appears the order remands for further substantive administrative proceedings.

Accordingly, appellants shall have 30 days from the date of this order to show cause why this appeal should not be dismissed for lack of jurisdiction. Respondent may file any reply within 14 days of service of appellants' 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.

 C.J.

cc: Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas  
Kemp & Kemp