

IN THE SUPREME COURT OF THE STATE OF NEVADA

DENNIS BAHAM, AN INDIVIDUAL,
Appellant,
vs.
BAYVIEW LOAN SERVICING, LLC, A
FOREIGN LIMITED LIABILITY
COMPANY; AND BANK OF NEW
YORK MELLON, F/K/A THE BANK OF
NEW YORK AS TRUSTEE FOR THE
CERTIFICATEHOLDERS OF CWALT,
INC., ALTERNATIVE LOAN TRUST
2005-2, MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-2,
Respondents.

No. 82621

FILED

JUN 16 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *Elizabeth A. Brown*
DEPUTY CLERK

ORDER DENYING MOTION

First American Trustee Servicing Solutions, LLC (FATSS) filed a motion to be removed as a respondent in this appeal. On April 16, 2021, having received no opposition from appellant, this court granted the motion and removed FATSS as a respondent in this appeal. Subsequently, appellant filed the instant motion to vacate the April 16, 2021, order, asserting that he was never properly served with FATSS' motion. In his motion, appellant argues that FATSS is a proper respondent in this appeal because it filed an answer to appellant's complaint on June 19, 2020. A review of the district court docket entries does not indicate that FATSS filed an answer to appellant's complaint on that date, or any date. However, FATSS did file a declaration of nonmonetary status on June 18, 2019, to which appellant did not object. Accordingly, appellant's motion to vacate this court's April 16, 2021, order is denied. *See* NRS 107.029(5) (if no timely objection is raised to a declaration of non-monetary status, the trustee is

not required to participate any further in the action but is bound by any court orders regarding the deed of trust).

It is so ORDERED.

1. Sanchez, C.J.

cc: Dennis Baham
Maurice Wood
Akerman LLP/Las Vegas
Wright, Finlay & Zak, LLP/Las Vegas