

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

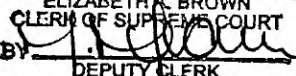
IN THE MATTER OF THE ESTATE OF
THEODORE ERNEST SCHEIDE, JR.,
DECEASED.

No. 84279-COA

THEODORE E. SCHEIDE, III,
Appellant,
vs.
ST. JUDE CHILDREN'S RESEARCH
HOSPITAL,
Respondent.

FILED

JAN 19 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DENYING REHEARING

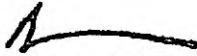
Rehearing denied. NRAP 40(c).¹

It is so ORDERED.



Gibbons

, C.J.



Bulla

, J.



Westbrook

, J.

¹We acknowledge, as is pointed out in the rehearing petition, that Chip did in fact argue that the district court lacked jurisdiction over St. Jude's petition under NRS 136.100 and NRS 136.230 prior to the filing of the original appeal, contrary to our order. However, we conclude that this misapprehension of fact is immaterial because NRCP 60(c)(1) requires parties to challenge orders as being void for lack of jurisdiction under NRCP 60(b)(4) within a reasonable time after the entry of the adverse judgment. Here, Chip failed to challenge the district court's jurisdiction over St. Jude's petition under NRS 136.100 and NRS 136.230 until nearly three years after the Nevada Supreme Court issued the adverse judgment against him, which is still an unreasonable amount of time. *See In re Harrison Living Tr.*, 121 Nev. 217, 222, 112 P.3d 1058, 1061 (2005) (upholding a district court's denial of an NRCP 60(b) motion filed eighteen months *after the adverse judgment* as untimely under NRCP 60(c)(1)).

cc: Hon. Gloria Sturman, District Judge
Israel Kunin, Settlement Judge
Hofland & Tomsheck
Hutchison & Steffen, LLC/Reno
Hutchison & Steffen, LLC/Las Vegas
Eighth District Court Clerk