


IN THE SUPREME COURT OF THE STATE OF NEVADA

ALBERT ELLIS LINCICOME, JR.; AND
VICENTA LINCICOME,
Appellants,
vs.
SABLES, LLC, A NEVADA LIMITED
LIABILITY COMPANY, AS TRUSTEE
OF THE DEED OF TRUST GIVEN BY
VICENTA LINCICOME AND DATED
5/23/2007; FAY SERVICING, LLC, A
DELAWARE LIMITED LIABILITY
COMPANY AND SUBSIDIARY OF FAY
FINANCIAL, LLC; PROF-2013-M4
LEGAL TITLE TRUST BY U.S. BANK,
N.A., AS LEGAL TITLE TRUSTEE;
BANK OF AMERICA, N.A.;
BRECKENRIDGE PROPERTY FUND
2016, LLC,
Respondents.

No. 86324

FILED

APR 24 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER TO SHOW CAUSE

This is an appeal from a summary judgment entered June 23, 2021; a writ of restitution entered November 17, 2021; an order awarding attorney fees and costs for the summary judgment entered January 19, 2022; and an order of judgment on the pleadings, entered February 10, 2023, resolving the counterclaims filed against appellants by respondent Breckenridge Property Fund 2016, LLC (Breckenridge). Preliminary review of the docketing statement and the documents submitted to this court pursuant to NRAP 3(g) reveals a potential jurisdictional defect.

Appellants previously appealed the summary judgment order in *Lincicome, Jr. v. Sables, LLC*, Docket No. 83261. In the context of that appeal, Breckenridge moved for dismissal on the ground that its counterclaims against appellants had not been finally resolved and the

summary judgment was not final as to it. This court concurred and dismissed Breckenridge from the appeal in Docket No. 83261. The appeal proceeded with respect to the remaining respondents, and this court affirmed. *See* Docket No. 83261 (Order of Affirmance, December 29, 2022). Appellants may not again challenge the summary judgment with respect to the respondents whose rights and interests have already been finally adjudicated by this court.

Accordingly, appellants shall have 30 days from the date of this order within which to show cause why this appeal should not be dismissed as to all respondents with the exception of Breckenridge. Failure to demonstrate that this court has jurisdiction may result in this court's dismissal of this appeal. The briefing schedule in this appeal shall be suspended pending further order of this court. Respondents may file any reply within 14 days from the date that appellant's response is served.

It is so ORDERED.

 Stiglmair , C.J.

cc: Clouser Hempen Wasick Law Group, Ltd.
Millward Law, Ltd.
Wedgewood, LLC
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