

SUPREME COURT OF NEVADA

5550 Painted Mirage Rd., LLC v. Travelers Property Casualty Company of America

5550 Painted Mirage Rd. · No. 83413 · Decided September 13, 2022

SUMMARY

This document is a Nevada Supreme Court appellate case docket and case-information view for 5550 Painted Mirage Rd., LLC v. Travelers Property Casualty Company of America. The appeal involved jurisdictional dismissal motions and was ultimately voluntarily dismissed by order entered September 13, 2022. The case was closed without a remittitur.

CASE DETAILS

COURT	Supreme Court of Nevada
JURISDICTION	Nevada
DECIDED	September 13, 2022
DOCKET	83413
DISPOSITION	dismissed
PROCEDURAL POSTURE	Civil appeal dismissed on the appellant's motion for voluntary dismissal.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	5550 Painted Mirage Rd., LLC v. Travelers Property Casualty Company of America

TOPICS

[appellate procedure](#) [appellate jurisdiction](#) [civil procedure](#)

PRACTICE AREAS

[appellate procedure](#) [civil procedure](#) [insurance](#)

QUESTIONS PRESENTED

1. Whether the appeal should be voluntarily dismissed at the appellant's request.

KEY QUOTATIONS

“Appellants have now filed a motion for a voluntary dismissal of this appeal. The motion is granted and this appeal is dismissed.”

FACTUAL BACKGROUND

The source contains no substantive factual background concerning the underlying insurance dispute. The appeal proceeded through settlement-program proceedings, jurisdictional motions, an order to show cause, and briefing-related motions before the appellant sought voluntary dismissal.

PROCEDURAL HISTORY

5550 Painted Mirage Rd., LLC appealed from proceedings in the Clark County Eighth Judicial District Court, case number A803425. Travelers moved to dismiss the appeal for lack of jurisdiction and later for failure to file the opening brief; after an order to show cause and reinstatement of briefing, the appellant moved for voluntary dismissal. The Supreme Court of Nevada granted the voluntary-dismissal motion and dismissed the appeal, denying the pending extension and dismissal motions as moot.

DISPOSITION

dismissed

OPINION

PER CURIAM.

83413: Case View Nevada Appellate Courts Appellate Case Management System C-Track, the browser based CMS for Appellate Courts Case Search Participant Search Cases Case Search Participant Search 22-28567: This document is currently unavailable. If you need a copy of this document, please contact Clerk's Office at (775)684-1600. Disclaimer: The information and documents available here should not be relied upon as an official record of action.Only filed documents can be viewed.

Some documents received in a case may not be available for viewing.Some documents originating from a lower court, including records and appendices, may not be available for viewing.For official records, please contact the Clerk of the Supreme Court of Nevada at (775) 684-1600. Case Information: 83413 Short Caption:5550 PAINTED MIRAGE RD., LLC VS. TRAVELERS PROP.

CAS. CO. OF AM.Court:Supreme Court Lower Court Case(s):Clark Co. - Eighth Judicial District - A803425Classification:Civil Appeal - General - Other Disqualifications:Case Status:Disposition Filed/Case Closed Replacement:Panel Assigned: Panel To SP/Judge:09/13/2021 / Paustian, KathleenSP Status:Completed Oral Argument:Oral Argument Location: Submission Date:How Submitted: + Party Information RoleParty NameRepresented By Appellant5550 Painted Mirage Rd., LLCMitchell D. Stipp (Law Office of Mitchell Stipp) RespondentTravelers Property Casualty Company of AmericaLee H. Gorlin (Clyde & Co US LLP/Las Vegas) Amy M. Samberg (Clyde &

Co US LLP/Las Vegas) Docket Entries DateTypeDescriptionPending?Document 08/24/2021Filing FeeFiling Fee due for Appeal.

(SC) 08/24/2021Notice of Appeal DocumentsFiled Notice of Appeal. Appeal docketed in the Supreme Court this day. (SC)21-24691 08/24/2021Notice/OutgoingIssued Notice to Pay Supreme Court Filing Fee. No action will be taken on this matter until filing fee is paid. Due Date: 10 days. (SC)21-24694 09/07/2021Filing FeeE-Payment \$250.00 from Mitchell D. Stipp. (SC) 09/07/2021Notice/OutgoingIssued Notice of Referral to Settlement Program.

This appeal may be assigned to the settlement program. Timelines for requesting transcripts and filing briefs are stayed. Docketing Statement mailed to counsel for appellant - due: 21 days. (SC)21-25925 09/09/2021MotionFiled Respondent's Motion to Dismiss Appeal. (SC)21-26136 09/10/2021Settlement Order/ProceduralFiled Order Denying Motion. Respondent has filed a motion requesting this court to dismiss this appeal for lack of jurisdiction.

The motion is denied. (SC)21-26212 09/13/2021Settlement NoticeIssued Notice: Assignment to Settlement Program. Issued Assignment Notice to NRAP 16 Settlement Program. Settlement Judge: Kathleen M. Paustian. (SC).21-26401 09/29/2021Notice/OutgoingIssued Notice to File Docketing Statement. Due date: 10 days. (SC)21-27958 10/11/2021Docketing StatementFiled Appellant's Civil Docketing Statement.

(SC)21-29121 10/15/2021Settlement Program ReportFiled ECAR/Appropriate for Settlement Program. This case is appropriate for mediation and a settlement conference is scheduled for January 3, 2022, at 9:00 AM. (SC)21-29636 10/18/2021Docketing StatementFiled Respondent's Response to Docketing Statement. (SC)21-29826 01/28/2022Settlement Program ReportFiled Final Report/No Settlement.

The parties were unable to agree to a settlement of this matter. (SC)22-02996 01/31/2022Settlement Program Motion/StipulationFiled Respondent's Renewed Motion to Dismiss Appeal Following Conclusion of Settlement Program. (SC)22-03105 02/03/2022Settlement Order/ProceduralFiled Order: No Settlement/Briefing Reinstated.

The parties were unable to agree to a settlement. Appellant(s): 14 days transcript request; 90 days opening brief and appendix. (SC)22-03715 02/07/2022MotionFiled Appellant's Response to Renewed Motion to Dismiss Appeal following Conclusion of Settlement Program. (SC)22-04026 02/14/2022MotionFiled Respondent's Reply in Support of Respondent's Renewed Motion to Dismiss Appeal Following Conclusion of Settlement Program.

(SC)22-04875 02/22/2022Order/ProceduralFiled Order to Show Cause. Mirage shall have 30 days from the date of this order within which to show cause why this appeal should not be dismissed for lack of jurisdiction. Travelers may file any reply within 14 days from the date that Mirage's

response is served. Briefing is suspended. fn1 [Traveler's motion to dismiss the appeal on the ground that the notice of appeal was untimely or that the filing fee was untimely filed is denied.

NRAP 4(a)(1) ("a notice of appeal must be filed after entry of a written judgment or order, and no later than 30 days after the date that written notice of entry of the judgment or order appealed from is served").] (SC)22-05661 03/23/2022MotionFiled Appellant's Response to Order to Show Cause. (SC)22-09150 04/21/2022Order/ProceduralFiled Order Reinstating Briefing.

Appellant: Transcript Request Form due: 14 days; Opening Brief and Appendix due: 90 days. (SC)22-12583 05/05/2022Transcript RequestFiled Appellant's Certificate of No Transcript Request. (SC)22-14457 05/18/2022Transcript RequestFiled Respondent's Request for Transcript of Proceedings. Transcripts requested: 6/24/21.

To Court Reporter: Christine Erickson. (REJECTED OER NOTICE ISSUED 5/18/22) (SC) 05/18/2022Notice/OutgoingIssued Notice of Rejection of Deficient Transcript Request. (SC)22-15731 05/18/2022Transcript RequestFiled Respondent's Request for Transcript of Proceedings. Transcripts requested: 6/24/21.

To Court Reporter: Christine Erickson. (SC)22-15739 06/24/2022TranscriptFiled Notice from Court Reporter. Christine Erickson stating that the requested transcripts were delivered. Dates of transcripts: 6/24/21. (SC)22-20136 07/19/2022Order/Clerk'sFiled Order Granting Telephonic Extension. Appellant's Opening Brief and Appendix due: August 3, 2022. (SC)22-22679 08/02/2022MotionFiled Appellant's Motion for Extension of Time to File Opening Brief.

(SC)22-24229 09/07/2022MotionFiled Respondent's Motion to Dismiss Appeal for Failure to File Opening Brief. (SC)22-28067 09/09/2022MotionFiled Appellant's Response to Motion to Dismiss. (SC)22-28346 09/13/2022Order/DispositionalFiled Order/Voluntary Dismissal. Order Dismissing Appeal. Appellants have now filed a motion for a voluntary dismissal of this appeal.

The motion is granted and this appeal is dismissed. fn1[Appellant's motion for an extension of time to file the opening brief and appendix, and respondent's motion to dismiss this appeal are denied as moot.] Case Closed/No Remittitur Issued. (SC)22-28567 Combined Case View