

SUPREME COURT OF NEVADA

State, Comm'r of Ins. v. Chur

Chur · No. 84253; related document number 22-15280 · Decided May 13, 2022

SUMMARY

This document is a Nevada Supreme Court case docket for State, Commissioner of Insurance v. Chur, appeal no. 84253. The docket indicates that the appeal was dismissed for lack of jurisdiction by an order filed May 13, 2022, and that remittitur issued on June 7, 2022. The underlying case was from the Eighth Judicial District Court of Nevada in Clark County.

CASE DETAILS

COURT	Supreme Court of Nevada
WRITING FOR THE COURT	SNP22-JH; SNP22-LS; SNP22-DH
JURISDICTION	Nevada
DECIDED	May 13, 2022
DOCKET	84253; related document number 22-15280
DISPOSITION	dismissed
PROCEDURAL POSTURE	The State of Nevada Commissioner of Insurance appealed from proceedings in the Eighth Judicial District Court of Clark County. The Supreme Court of Nevada ordered the appellant to show cause why the appeal should not be dismissed for lack of jurisdiction and thereafter dismissed the appeal.
PRECEDENTIAL VALUE	published
PARTIES	The State of Nevada Commissioner of Insurance v. Barbara Lumpkin, Carol Harter, Eric Stickels, Jeff Marshall, Mark Garber, Robert Chur, Robert Hurlbut, Steve Fogg, U.S. Re Corporation, Uni-Ter Claims Services Corp., Uni-Ter Underwriting Management Corp.

TOPICS

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

PRACTICE AREAS

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

QUESTIONS PRESENTED

1. Whether the Supreme Court of Nevada had appellate jurisdiction over the appeal.

FACTUAL BACKGROUND

The source contains no substantive factual discussion. It identifies an appeal involving the Nevada Commissioner of Insurance and multiple respondents, including U.S. Re Corporation and Uni-Ter entities.

PROCEDURAL HISTORY

The appeal was docketed in the Supreme Court of Nevada on February 17, 2022, from Clark County Eighth Judicial District Court case A711535. On April 6, 2022, the court ordered the appellants to show cause why the appeal should not be dismissed for lack of jurisdiction. After receiving the appellant's response, the court dismissed the appeal on May 13, 2022. A remittitur issued on June 7, 2022, and the case was closed.

DISPOSITION

dismissed

OPINION

PER CURIAM.

84253: 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 22-15280: 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: 84253 Short Caption:STATE, COMM'R OF INS. VS. CHURCourt:Supreme Court Related Case(s):78301, 81857, 84311 Lower Court Case(s):Clark Co. - Eighth Judicial District - A711535Classification:Civil Appeal - General - Other Disqualifications:Case Status:Remittitur Issued/Case Closed Replacement:Panel Assigned: Panel To SP/Judge:02/18/2022 / Levitt, LansfordSP Status:Completed Oral Argument:Oral Argument Location: Submission Date:How Submitted: + Party Information RoleParty NameRepresented By AppellantThe State of Nevada Commissioner of InsuranceTanya M. Fraser (Hutchison & Steffen, LLC/Las Vegas) Mark A. Hutchison (Hutchison & Steffen, LLC/Las Vegas) Brenoch R. Wirthlin (Hutchison & Steffen, LLC/Las Vegas) RespondentBarbara LumpkinJoseph Garin (Lipson Neilson P.C.)

Angela T. Nakamura Ochoa (Lipson Neilson P.C.) RespondentCarol HarterJoseph Garin (Lipson Neilson P.C.) Angela T. Nakamura Ochoa (Lipson Neilson P.C.) RespondentEric StickelsJoseph Garin (Lipson Neilson P.C.) Angela T. Nakamura Ochoa (Lipson Neilson P.C.) RespondentJeff MarshallJoseph Garin (Lipson Neilson P.C.) Angela T. Nakamura Ochoa (Lipson Neilson P.C.)

RespondentMark GarberJoseph Garin (Lipson Neilson P.C.) Angela T. Nakamura Ochoa (Lipson Neilson P.C.) RespondentRobert ChurJoseph Garin (Lipson Neilson P.C.) Angela T. Nakamura Ochoa (Lipson Neilson P.C.) RespondentRobert HurlbutJoseph Garin (Lipson Neilson P.C.) Angela T. Nakamura Ochoa (Lipson Neilson P.C.) RespondentSteve FoggJoseph Garin (Lipson Neilson P.C.)

Angela T. Nakamura Ochoa (Lipson Neilson P.C.) RespondentU.S. Re CorporationKimberly Freedman (Nelson Mullins/Miami) Erin Kolmansberger (Nelson Mullins/Miami) George F. Ogilvie, III (McDonald Carano LLP/Las Vegas) Jon M. Wilson (Nelson Mullins/Miami) RespondentUni-Ter Claims Services Corp.Kimberly Freedman (Nelson Mullins/Miami) Erin Kolmansberger (Nelson Mullins/Miami) George F. Ogilvie, III (McDonald Carano LLP/Las Vegas) Jon M. Wilson (Nelson Mullins/Miami) RespondentUni-Ter Underwriting Management Corp.Kimberly Freedman (Nelson Mullins/Miami) Erin Kolmansberger (Nelson Mullins/Miami) George F. Ogilvie, III (McDonald Carano LLP/Las Vegas) Jon M. Wilson (Nelson Mullins/Miami) Docket Entries DateTypeDescriptionPending?Document 02/17/2022Filing FeeFiling Fee due for Appeal.

Filing fee will be forwarded by the District Court. (SC) 02/17/2022Notice of Appeal DocumentsFiled Notice of Appeal. Appeal docketed in the Supreme Court this day. (Docketing statement mailed to counsel for appellant.) (SC)22-05351 02/17/2022Notice/OutgoingIssued Notice to File Case Appeal Statement/Civil. Due date: 7 days. (SC)22-05353 02/17/2022Notice/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. (SC)22-05355 02/18/2022Settlement NoticeIssued Notice: Assignment to Settlement Program. Issued Assignment Notice to NRAP 16 Settlement Program. Settlement Judge: Lansford W. Levitt. (SC).22-05468 02/22/2022Notice of Appeal DocumentsFiled Copy of District Court Minutes.

(SC)22-05645 02/25/2022Order/Clerk'sFiled Order Granting Telephonic Extension. Appellant's Case Appeal Statement due: March 10, 2022. (SC)22-06159 02/25/2022Filing FeeFiling Fee Paid. \$250.00 from Hutchison & Steffen. Check no. 12411. (SC) 03/10/2022Docketing StatementFiled Appellant's Civil Docketing Statement. (SC)22-07765 03/11/2022Notice/OutgoingIssued Notice to Provide Proof of Service on Settlement Judge for Docketing Statement.

Due date: 7 days. (SC)22-07786 03/14/2022Order/ProceduralFiled Order. Case Appeal Statement due: 7 days. (SC)22-08044 03/18/2022Notice/IncomingFiled Proof of Service for Docketing Statement. (SC)22-08649 03/18/2022Notice of Appeal DocumentsFiled Case Appeal Statement. (SC)22-08652 03/28/2022Settlement Program ReportFiled ECAR/Not Appropriate for Settlement Program.

This case is not appropriate for mediation. Case Nos. 84253/84311. (SC)22-09567 03/30/2022Settlement Order/ProceduralFiled Order Removing From Settlement Program/Briefing Reinstated. This appeal is removed from the settlement program. Appellant(s): 14 days transcript request; 90 days opening brief. (SC)22-09851 04/06/2022Order/ProceduralFiled Order to Show Cause.

Appellants 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. The deadlines for filing documents in this appeal shall be suspended pending further order of this court. Respondents may file any reply within 14 days from the date that appellants' response is served. (SC)22-10737 05/06/2022MotionFiled Appellant's Response to Order to Show Cause.

(SC)22-14608 05/13/2022Order/DispositionalFiled Order Dismissing Appeal. "ORDERS this appeal DISMISSED." SNP22-JH/LS/DH (SC)22-15280 06/07/2022RemittiturIssued Remittitur. (SC)22-18043 06/07/2022Case Status UpdateRemittitur Issued/Case Closed. (SC) 06/24/2022RemittiturFiled Remittitur. Received by District Court Clerk on June 8, 2022. (SC)22-18043 Combined Case View