

IN THE UTAH COURT OF APPEALS

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Nadine F. Gillmor,	)	MEMORANDUM DECISION
	)	(Not For Official Publication)
Plaintiff,	)	
	)	Case No. 20080200-CA
v.	)	
	)	
United Park City Mines; Blue	)	F I L E D
Ledge Corporation; Susan A.	)	(May 8, 2008)
Megur; Steve Megur; John J.	)	
Cummings; Susan S. Cummings;	)	2008 UT App 163
Eremalos Development; Estate	)	
of Charles F. Gillmor; and all	)	
other persons claiming any	)	
right, title, or interest	)	
adverse to the interests	)	
of the plaintiff,	)	
	)	
Defendants.	)	
_____	)	
	)	
Blue Ledge Corporation,	)	
	)	
Counterclaimant and	)	
Appellant,	)	
	)	
v.	)	
	)	
Nadine F. Gillmor, and all	)	
unknown persons who claim any	)	
interest in the subject matter	)	
of the action,	)	
	)	
Counterclaim Defendant	)	
and Appellee.	)	

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Third District, Silver Summit Department, 940600087  
The Honorable Bruce C. Lubeck

Attorneys: Rosemary J. Beless and P. Bruce Badger, Salt Lake  
City, for Appellant  
David W. Scofield, Thomas W. Peters, and Ronald F.  
Price, Salt Lake City, for Appellees

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Before Judges Greenwood, Billings, and McHugh.

PER CURIAM:

This matter is before the court on Appellant Blue Ledge Corporation's suggestion of mootness. Blue Ledge argues that the district court has issued an order granting it the relief it requested in this court, thereby rendering the issues advanced in its appeal moot.

"[A] case is moot where the requested judicial relief cannot affect the rights of the litigants." Jones v. Schwendiman, 721 P.2d 893, 894 (Utah 1986) (per curiam). Blue Ledge filed its notice of appeal after the district court issued an order rejecting Blue Ledge's proposed final judgment and stating that the court's previous order constituted the final judgment. Blue Ledge argued that the court's previous order could not be considered final because it did not include a description of the property at issue. On March 21, 2008, the district court determined that Blue Ledge was correct that the final order should have included a description of the property at issue. Accordingly, the court issued a new final judgment that included a description of the property. This final judgment moots all issues raised in Blue Ledge's appeal because the relief requested by Blue Ledge has been granted by the district court, and thus this court can no longer provide relief that affects the rights of the litigants.

Accordingly, this matter is dismissed.<sup>1</sup>

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Pamela T. Greenwood,  
Presiding Judge

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Judith M. Billings, Judge

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Carolyn B. McHugh, Judge

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1. Gillmor also filed a motion for summary disposition based upon other grounds. However, because the issues involved in the appeal are now moot, there is no need to review the arguments advanced by Gillmor in the motion.