IN THE SUPREME COURT OF THE STATE OF NEVADA

INSURANCE COMPANY OF THE
WEST, A CALIFORNIA
CORPORATION,
Appellant,
vs.
GIBSON TILE COMPANY, INC., A
NEVADA CORPORATION; THOMAS
GIBSON, AN INDIVIDUAL; AND
KELLY GIBSON, AN INDIVIDUAL,
Respondents.

No. 42942

FILED

JUN 2 8 2004



ORDER DISMISSING APPEAL

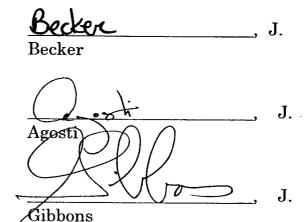
This is an appeal from a district court contempt order. On April 24, 2004, this court entered an order directing appellant to show cause within thirty days why this appeal should not be dismissed for lack of jurisdiction. Specifically, the order noted that the judgment or order designated in the notice of appeal appeared to be not substantively appealable.¹

Appellant has filed a response indicating that it filed its notice of appeal from the post-judgment contempt order out of caution. In addition to the notice of appeal, appellant also filed an original petition for a writ of prohibition challenging the same contempt order, docketed as Number 42897. Appellant concedes that if the contempt order is not appealable, relief is available only through a writ petition.

¹See NRAP 3A(b); Pengilly v. Rancho Santa Fe Homeowners, 116 Nev. 646, 5 P.3d 569 (2000).

As a contempt order is not an appealable determination, we conclude that we lack jurisdiction, and we dismiss this appeal.²

It is so ORDERED.



cc: Hon. Jessie Elizabeth Walsh, District Judge Beckley Singleton, Chtd./Las Vegas Orin G. Grossman, P.C. Clark County Clerk

²Appellant's motion to consolidate this appeal with the appeal in Docket Number 42343 and the writ petition in Docket Number 42897 is denied as moot.