

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN LUCKETT,  
Appellant,  
vs.  
CHARLESTONWOOD APARTMENTS,  
Respondent.

No. 43704

FILED

AUG 24 2004

ORDER DISMISSING APPEAL

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Richards*  
CHIEF DEPUTY CLERK

This proper person appeal is taken from a district court order directing appellant to pay attorney fees and costs. Eighth Judicial District Court, Clark County; Jessie Elizabeth Walsh, Judge.

Our review of the documents before us reveals a jurisdictional defect. In particular, as noted in appellant's notice of appeal, appellant was never a party to this action. Under NRAP 3A(a), only aggrieved parties can appeal. As appellant was never made a party to these proceedings, he lacks standing to appeal from the district court's order.<sup>1</sup> Additionally, we note that appellant has filed a proper person writ petition, docketed as No. 43642, challenging the same district court order.

As we lack jurisdiction to consider this appeal, we dismiss it.

It is so ORDERED.

*Becker* \_\_\_\_\_, J.

Becker

*Agosti* \_\_\_\_\_, J.

Agosti

*Gibbons* \_\_\_\_\_, J.

Gibbons

<sup>1</sup>See, e.g., Albany v. Arcata Associates, 106 Nev. 688, 799 P.2d 566 (1990) (concluding that an attorney had no right to appeal because he was not a party to the underlying action).

cc: Hon. Jessie Elizabeth Walsh, District Judge  
John Lockett  
John Peter Lee Ltd.  
Clark County Clerk