

IN THE SUPREME COURT OF THE STATE OF NEVADA

KEVIN MATHEW PAPIA,  
Appellant,  
vs.  
EL CAPITAN & FLAMINGO  
DEVELOPMENT COMPANY,  
LLC,  
Respondent.

No. 44074

FILED

NOV 09 2004

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

ORDER DISMISSING APPEAL

This is a proper person appeal from a district court order that granted respondent's motion for summary judgment and denied Clark County Public Works' motion for summary judgment. Eighth Judicial District Court, Clark County; Sally L. Loehrer, Judge.

An order is not appealable as a final judgment unless it disposes of all the issues in the case and leaves nothing for the district court's future consideration, except for post-judgment issues like costs and attorney fees.<sup>1</sup> Here, as the challenged order leaves unresolved the issue

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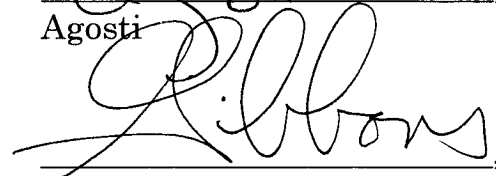
<sup>1</sup>See NRAP 3A(b)(1); Lee v. GNLV Corp., 116 Nev. 424, 996 P.2d 416 (2000); KDI Sylvan Pools v. Workman, 107 Nev. 340, 810 P.2d 1217 (1991); Rae v. All American Life & Cas. Co., 95 Nev. 920, 605 P.2d 196 (1979).

of Clark County Public Works' liability, the order is not appealable as a final judgment. No other basis exists to support this interlocutory appeal.<sup>2</sup>

Accordingly, as we lack jurisdiction over this appeal, we  
ORDER this appeal DISMISSED.

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

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

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

cc: Hon. Sally L. Loehrer, District Judge  
Kevin Mathew Papia  
Black Lobello & Pitegoff  
Clark County Clerk

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<sup>2</sup>See NRAP 3A(b)(2); Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984).