

IN THE SUPREME COURT OF THE STATE OF NEVADA

JULIO CESAR NAVAS,
Appellant,
vs.
WESTERN TITLE COMPANY,
Respondent.

No. 44981

FILED

AUG 30 2005

JULIO CESAR NAVAS,
Appellant,
vs.
DAVID RANKIN; CAROL STOKES;
THE HONORABLE DEBORAH
SCHUMACHER, DISTRICT JUDGE;
AND RONALD A. LONGTIN, JR.,
Respondents.

No. 45104

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

JULIO CESAR NAVAS,
Appellant,
vs.
ANNA MARIE NAVAS, N/K/A ANNA
MARIE BYRON,
Respondent.

No. 45242

ORDER DISMISSING APPEALS (NOS. 44981 AND 45104) AND
DIRECTING TRANSMISSION OF A SUPPLEMENTAL RECORD

These proper person appeals challenge several district court orders granting motions to dismiss in a real property dispute. Second Judicial District Court, Washoe County; Janet J. Berry, Judge.

The appeals in Docket Nos. 44981 and 45104 challenge March 16 and 31, 2005 district court orders dismissing appellant's claims against Western Title Company, David Rankin, Carol Stokes, the Honorable Deborah Schumacher, District Judge, and Ronald A. Longtin, Jr. The appeal in Docket No. 45242 challenges a May 3, 2005 district court order dismissing claims against Anna Marie Byron.

Our review of the appeals in Docket Nos. 44981 and 45104 reveals jurisdictional defects. The right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists.¹ NRAP 3A(b)(1) authorizes an appeal from a district court's final written order adjudicating all the rights and liabilities of all the parties.² Interlocutory district court orders, however, are generally not independently appealable.³

It appears that the district court's May 3 order, dismissing claims against the last remaining party, Anna Byron, constitutes the final judgment in this matter. Consequently, the March 16 and 31 district court orders dismissing appellant's claims against the other parties are interlocutory and not independently appealable. As we lack jurisdiction, we dismiss the appeals in Docket Nos. 44981 and 45104.

Nevertheless, we note that appellant may challenge the March 16 and 31 interlocutory orders within the context of his appeal in Docket No. 45242 from the final order in this matter.⁴ Further, we have reviewed

¹See NRAP 3A(b); Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984).


²Lee 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).

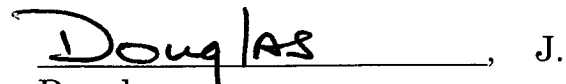
³See Consolidated Generator v. Cummins Engine, 114 Nev. 1304, 1312, 971 P.2d 1251, 1256 (1998); cf. NRAP 3A(b)(2).

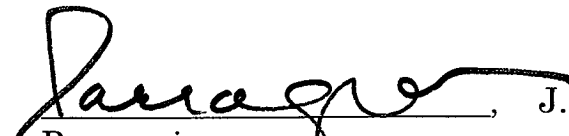
⁴See Consolidated Generator, 114 Nev. at 1312, 971 P.2d at 1256 (noting that this court may review interlocutory orders on appeal from a final judgment). We direct the clerk of this court to add respondents Western Title Company, David Rankin, Carol Stokes, the Honorable Deborah Schumacher, District Judge, and Ronald A. Longtin, Jr. to the caption in Docket No. 45242.

the documents on file in Docket No. 45242, and we conclude that our review of the complete record is warranted.⁵ Accordingly, we direct the clerk of this court to file, in Docket No. 45242, the record that was ordered transmitted in Docket Nos. 44981 and 45104. In addition, within one hundred and twenty days from the date of this order, the clerk of the district court shall transmit to the clerk of this court a certified copy of a supplemental trial court record in District Court Case No. CV0402471, which shall include copies of any documents not already included in the record on appeal.⁶ The supplemental record shall not include any exhibits filed in the district court.

It is so ORDERED.


Maupin


Douglas


Parraguirre

⁵See NRAP 10(a)(1).

⁶See NRAP 11(a)(2) (providing that the complete record shall contain each and every paper, pleading and other document filed, or submitted for filing, in the district court, as well as any previously prepared transcripts of the district court proceedings).

cc: Hon. Janet J. Berry, District Judge
Attorney General Brian Sandoval/Reno
Julio Cesar Navas
Walsh, Baker & Rosevear, P.C.
Erickson Thorpe & Swainston, Ltd.
Anna Marie Byron
Washoe District Court Clerk