

IN THE SUPREME COURT OF THE STATE OF NEVADA

FINANCIAL INDEMNITY COMPANY,
A CORPORATION,
Appellant,
vs.
LORENA GASPAR, AN INDIVIDUAL,
Respondent.

No. 45271

FILED

SEP 23 2005

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

ORDER DISMISSING APPEAL

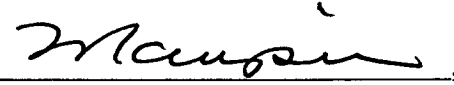
This is an appeal from an April 12, 2005 district court order denying appellant's motion for declaratory relief and granting respondent's motion for declaratory relief, and from a district court declaratory judgment entered April 28, 2005. Eighth Judicial District Court, Clark County; Stewart L. Bell, Judge.


Respondent moves to dismiss the appeal, alleging that the judgment being appealed is not a final judgment resolving all claims. Appellant has not filed an opposition to the motion. We conclude that respondent's motion properly seeks dismissal. Specifically, the notice of appeal is untimely filed under NRAP 4(a) because the district court has not entered a final written judgment adjudicating all the rights and liabilities of the parties.


When multiple claims are involved in an action, a judgment is not final, and this court does not have jurisdiction, unless that judgment resolves all claims.¹ The following claims from respondent's September 24, 2004 complaint appear to remain below: breach of common law

¹Lee v. GNLV Corp., 116 Nev. 424, 426, 996 P.2d 416, 417 (2000)

covenant of good faith and fair dealing, and breach of Nevada insurance regulations, including NRS 686A.310. Nothing before this court indicates the district court entered a final written judgment disposing of all the issues presented in this case. Thus, this court lacks jurisdiction to entertain the appeal. Accordingly, we grant respondent's motion and
ORDER this appeal DISMISSED.


_____, J.
Maupin


_____, J.
Gibbons


_____, J.
Hardesty

cc: Hon. Stewart L. Bell, District Judge
Hon. William C. Turner, Settlement Judge
Harris Merritt Chapman, Ltd.
Williams & Wiese
Clark County Clerk