

IN THE SUPREME COURT OF THE STATE OF NEVADA

DEANO J. IATAROLA,
Appellant,
vs.
THOMAS R. IATAROLA,
Respondent.

No. 45930

FILED

APR 21 2006

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

ORDER DISMISSING APPEAL

This is an appeal from a district court order denying appellant's motion to stay or strike registration of a foreign judgment lien. Eighth Judicial District Court, Clark County; Kenneth C. Cory, Judge. When our preliminary review of the docketing statement and the documents submitted to this court pursuant to NRAP 3(e) revealed a potential jurisdictional defect, we directed appellant to show cause why the appeal should not be dismissed for lack of jurisdiction. Specifically, we noted that it was not clear whether the order designated in the notice of appeal is substantively appealable.


Appellant filed a timely response to our order, arguing that although the motion to stay or strike did not reference NRCP 60(b), the motion effectively raised claims that are cognizable under NRCP 60(b) and therefore the order denying the motion is appealable under Holiday Inn v. Barnett¹ and Karow v. Mitchell.²

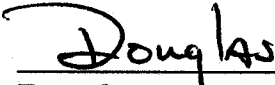
¹103 Nev. 60, 732 P.2d 1376 (1987).

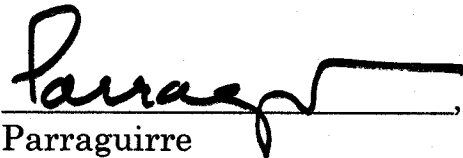
²110 Nev. 958, 878 P.2d 978 (1994).

Having considered appellant's response, we conclude that we lack jurisdiction over this appeal. Appellant did not seek relief under NRCP 60(b). And the district court's order denying the motion to stay or strike is not a final judgment³ or a special order after final judgment.⁴ Because no statute or rule provides for an appeal from the order designated in this case, we lack jurisdiction over this appeal⁵ and therefore

ORDER this appeal DISMISSED.


_____, C.J.
Rose


_____, J.
Douglas


_____, J.
Parraguirre

cc: Hon. Kenneth C. Cory, District Judge
Nathaniel J. Reed, Settlement Judge
Christopherson Law Offices
Deaner, Deaner, Scann, Malan & Larsen
Clark County Clerk

³See Lee v. GNLV Corp., 116 Nev. 424, 996 P.2d 416 (2000).

⁴See Gumm v. Mainor, 118 Nev. 912, 59 P.3d 1220 (2002).

⁵See Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984).