

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE ESTATE OF
WILLIAM POWELL LEAR.

No. 46789

PATRICK CHRISTOPHER LEAR,
Appellant,
vs.
ESTATE OF WILLIAM POWELL LEAR,
Respondent.

FILED

DEC 28 2006

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

ORDER DISMISSING APPEAL


This is a proper person appeal from a January 5, 2006 district court order declining to clarify an August 2, 2005 order, except to note that the order's effect, with respect to trust beneficiary status, was limited to appellant. Second Judicial District Court, Washoe County; Peter I. Breen, Judge.


Our review of this appeal reveals a jurisdictional defect. This court has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule.¹ The January 5 order designated in appellant's notice of appeal does not appear to affect appellant's status as

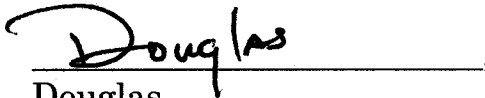
¹Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984).

set forth in the August 2 order, and thus, the January 5 order is not substantively appealable.² According, we dismiss this appeal.

It is so ORDERED.³


_____, J.
Gibbons


_____, J.
Maupin


_____, J.
Douglas

cc: Chief Judge, Second Judicial District
Hon. Peter I. Breen, Senior Judge
Patrick Christopher Lear
Cooke Roberts & Reese
Washoe District Court Clerk

²See NRAP 3A(a) (providing that only aggrieved persons may appeal); see also Morrell v. Edwards, 98 Nev. 91, 92, 640 P.2d 1322, 1324 (1982) (holding that an appeal is properly taken from an amended order only when the “amendment disturbed or revised legal rights and obligations which the prior [order] had plainly and properly settled with finality”); NRS 155.190 (listing appealable orders in probate and/or trust proceedings); NRAP 3A(b) (setting forth appealable civil orders).

³We note that appellant’s failures to pay the filing fee and to timely file a civil appeal statement, as directed in the proper person pilot program instructions that were sent to him when this appeal was docketed, or to request an exemption from that program, constitute additional bases for dismissing this appeal.