

IN THE SUPREME COURT OF THE STATE OF NEVADA

ZULEMA LEON SADLER, A/K/A
ZULEMA LEON,
Appellant,
vs.
SANFORD F. SADLER,
Respondent.

No. 47715

FILED

OCT 18 2006

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. R. [Signature]*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from a post-decree district court order reducing arrearages to judgment and imposing sanctions. Eighth Judicial District Court, Family Court Division, Clark County; N. Anthony Del Vecchio, 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 Although a court rule authorizes an appeal to be taken from a special order after final judgment,² to be appealable as a special post-judgment order, the order must affect the rights of a party growing out of the final judgment.³

The order appealed from here did not affect the rights of the parties growing out of the divorce decree. Instead, the order merely (1) directed appellant to pay the money that she owed (plus interest) under

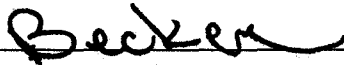
¹Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984).

²See NRAP 3A(b)(2).

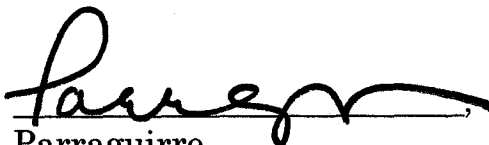
³See Gumm v. Mainor, 118 Nev. 912, 59 P.3d 1220 (2002).

previous orders, by allowing for an assignment of her wages,⁴ and to otherwise comply with those orders' terms, and (2) determined that sanctions (including fines, jail time, and attorney fees) should be imposed on appellant for her prior lack of compliance. While the order also suspended appellant's contact with the minor children, the suspension was temporary, pending her appearance before the court, and thus did not render the order appealable.⁵ Instead, these are the types of issues challengeable in a petition for extraordinary relief.⁶ Therefore, as we lack jurisdiction over this appeal, we

ORDER this appeal DISMISSED.


Becker, J.


Hardesty, J.


Parraguirre, J.

⁴See NRS 125B.140 (providing that the district court has the authority to enforce orders for support); Khaldy v. Khaldy, 111 Nev. 374, 377, 892 P. 2d 584, 586 (1995) (providing that once payments for child support have accrued they become vested rights and cannot be modified or voided).

⁵See In re Temporary Custody of Five Minors, 105 Nev. 441, 777 P.2d 901 (1989) (holding that no appeal may be taken from a temporary order subject to review and modification by the court).

⁶See, e.g., NRS 34.160; Harvey L. Lerer, Inc. v. District Court, 111 Nev. 1165, 1168, 901 P.2d 643, 645 (1995) (recognizing generally that extraordinary writ petitions are appropriate when petitioner has no adequate legal remedy); see also Pengilly v. Rancho Santa Fe Homeowners, 116 Nev. 646, 5 P.3d 569 (2000) (stating that the proper mode of review of a contempt order is by extraordinary writ).

cc: Hon. N. Anthony Del Vecchio, District Judge, Family Court Division
Zulema Leon
Radford J. Smith
Clark County Clerk