

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE PARENTAL
RIGHTS AS TO K. H. AND J. H.

No. 47940

WASHOE COUNTY DEPARTMENT OF
SOCIAL SERVICES,

Appellant,

vs.

CHRISTOPHER H.,

Respondent.

FILED

JAN 19 2007

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

ORDER DISMISSING APPEAL

This is an appeal from a district court order terminating respondent's parental rights. Second Judicial District Court, Family Court Division, Washoe County; Deborah Schumacher, Judge.

When our preliminary review of the docketing statement and documents submitted to this court pursuant to NRAP 3(e) revealed a potential jurisdictional defect, we ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. Specifically, it appeared that appellant might not be an aggrieved party with standing to appeal because appellant sought termination of respondent's parental rights and the district court granted that relief and terminated respondent's parental rights.¹

¹NRAP 3A(a) (allowing an appeal only by an aggrieved party); see also Valley Bank of Nevada v. Ginsburg, 110 Nev. 440, 874 P.2d 729

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Having considered appellant's response to the order to show cause, we conclude that appellant is not aggrieved within the meaning of NRAP 3A(a). Appellant's reliance on Las Vegas Police Protective Ass'n v. District Court² is misplaced as the appellant in that case was not the prevailing party and the district court's order in that case affected the appellant's "ability and legal right to defend [its] members against citizen review board subpoenas."³ In contrast, the district court order in this case granted the relief requested by appellant, and appellant has not persuaded us that its disagreement with the district court's legal conclusion regarding the constitutionality of NRS 128.109(1)(a) adversely affects a personal or property right of appellant.⁴ Because appellant is not aggrieved by the district court's order, appellant lacks standing to appeal.⁵

... continued

(1994); Ford v. Showboat Operating Co., 110 Nev. 752, 877 P.2d 546 (1994).

²122 Nev. ___, 130 P.3d 182 (2006).

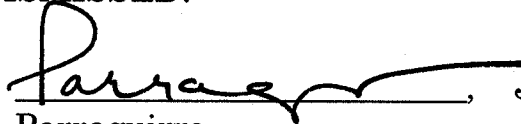
³Id. at ___, 130 P.3d at 190.

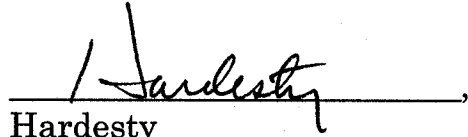
⁴See Moran v. Bonneville Square Assocs., 117 Nev. 525, 527, 25 P.3d 898, 899 (2001) (observing that "the burden rests squarely upon the shoulders of a party seeking to invoke our jurisdiction to establish, to our satisfaction, that this court does in fact have jurisdiction").

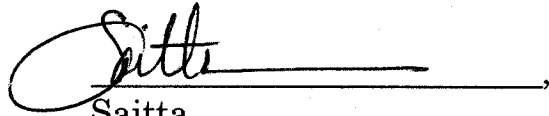
⁵See Reno v. Civil Serv. Comm'n of Reno, 117 Nev. 855, 857 n.3, 34 P.3d 120, 121 n.3 (2001) (noting that party that received the relief it requested in district court is not an aggrieved party).

We therefore lack jurisdiction over this appeal, and we

ORDER this appeal DISMISSED.

 J.
Parraguirre

 J.
Hardesty

 J.
Saitta

cc: Hon. Deborah Schumacher, District Judge, Family Court Division
Attorney General Catherine Cortez Masto/Carson City
Washoe County District Attorney Richard A. Gammick /Civil
Division
Washoe County Public Defender
Washoe District Court Clerk