

IN THE SUPREME COURT OF THE STATE OF NEVADA

EUN SUN WEINTRAUB,
Appellant,
vs.
ROBERT CONRAD,
Respondent.

No. 49174

FILED

JUL 14 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court summary judgment in a contract action. Eighth Judicial District Court, Clark County; Susan Johnson, Judge.

When our review of the docketing statement, the documents submitted to this court pursuant to NRAP 3(e), and the parties' briefs revealed a potential jurisdictional defect, we directed appellant to show cause why her appeal should not be dismissed. No response has been filed to our order to show cause entered on May 8, 2008, which gave appellant 30 days to respond.

We have jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule.¹ NRAP 3A(b)(1) authorizes an appeal from a final judgment in an action or proceeding. A final judgment is one "that disposes of the issues presented in the case, and leaves nothing for the future consideration of the court, except for post-

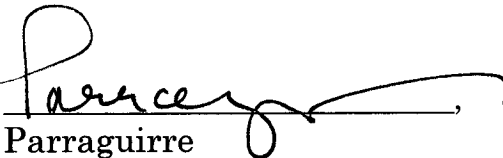
¹Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984).


judgment issues such as attorney's fees and costs."² For a final judgment to exist, all claims must be resolved by the district court's written order.³

In the present case, it appears that respondent's counterclaim for attorney fees as damages remains pending in the district court. Consequently, the summary judgment order challenged on appeal does not appear to be a final judgment that we have jurisdiction to consider on appeal. Accordingly, we

ORDER this appeal DISMISSED.


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Douglas

cc: Hon. Susan Johnson, District Judge
Lester H. Berkson, Settlement Judge
Dan M. Winder
Robert Conrad
Eighth District Court Clerk

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

³KDI Sylvan Pools v. Workman, 107 Nev. 340, 810 P.2d 1217 (1991).