

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEPHEN M. DE LONG,
Appellant,
vs.
BRIAN CRAIG PHELPS,
Respondent.

No. 49460

FILED

JUN 08 2007

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

ORDER DISMISSING APPEAL

This is a proper person appeal from a district court order denying respondent's motion for summary judgment. Second Judicial District Court, Washoe County; Jerome Polaha, Judge.

Appellant states in his notice of appeal that he appeals from the district court's orders (1) denying respondent's motion for summary judgment and (2) refusing to dissolve a prejudgment writ of attachment. Appellant further states that this court has jurisdiction over this appeal under NRAP 3A(a) and 3A(b)(2).

Respondent has moved to dismiss this appeal for lack of jurisdiction, asserting that the district court has not entered a final judgment and that appellant is not an aggrieved party under the court's ruling.

This court has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule.¹ No statute or court rule

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

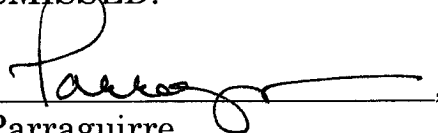
authorizes an appeal from an interlocutory order denying a motion for summary judgment.²

Also, appellant is not aggrieved by this order. Specifically, the district court ruled in appellant's favor when it denied respondent's motion for summary judgment.

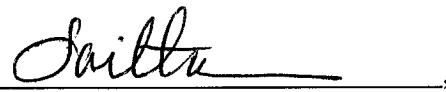
Further, to the extent that appellant challenges any order refusing to dissolve a writ of attachment, although NRAP 3A(b)(2) permits an appeal from such an order, none of the documents before us show that such an order has been entered.

Accordingly, as we lack jurisdiction, we grant respondent's motion³ and

ORDER this appeal DISMISSED.⁴


_____, J.
Parraguirre


_____, J.
Hardesty


_____, J.
Saitta

²See NRAP 3A(b)(1); cf. Consolidated Generator v. Cummins Engine, 114 Nev. 1304, 1312, 971 P.2d 1251, 1256 (1998).

³We deny respondent's request that this court prohibit appellant from filing any appeals until a final judgment is rendered.

⁴In light of this order appellant does not need to file his civil proper person appeal statement, mailed to him on May 16, 2007.

cc: Hon. Jerome Polaha, District Judge
Stephen M. De Long
Brian Craig Phelps
Washoe District Court Clerk