

IN THE SUPREME COURT OF THE STATE OF NEVADA

L. SEVILLE PARKS,

Appellant,

vs.

DEBRA LIGHTSEY; E.K. MCDANIEL;

DEBRA BROOKS; ADAM ENDEL; G.

THOMPSON; AND VALERIE P.

COOKE,

Respondents.

No. 49806

FILED

NOV 02 2007

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from a district court order denying appellant's application to proceed in forma pauperis, declining to file appellant's complaint, and directing appellant to submit an amended complaint. Seventh Judicial District Court, White Pine County; Dan L. Papez, Judge.

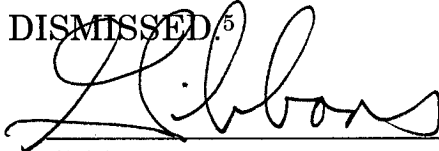
Our review of the documents transmitted to this court pursuant to NRAP 3(e) reveals jurisdictional defects. First, this court has jurisdiction to consider an appeal only where the appeal is authorized by statute or court rule.¹ To the extent that the challenged order denies appellant's application to proceed in forma pauperis, no statute or court rule authorizes an appeal from such an order.² Second, with regard to the remainder of the challenged order, the district court declined to even file

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

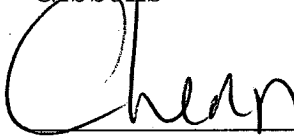
²See NRAP 3A(b) (listing orders and judgments from which an appeal may be taken).

the complaint; thus the court did not, and could not, enter a final judgment dismissing the underlying case, since no action was filed.³ Instead, the district court directed appellant to submit an amended complaint containing a more definite statement with regard to two of appellant's claims. Consequently, as the district court did not enter an appealable order, we conclude that we lack jurisdiction over this appeal.⁴ Accordingly, we

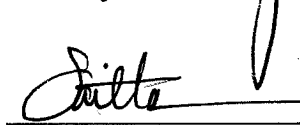
ORDER this appeal DISMISSED.⁵


_____, J.

Gibbons


_____, J.

Cherry


_____, J.

Saitta

³See Lee v. GNLV Corp., 116 Nev. 424, 996 P.2d 416 (2000) (noting that a final judgment is one that disposes of all of the issues presented in the case and leaves nothing for the future consideration of the court except for post-judgment issues such as attorney fees and costs).

⁴Appellant may, however, seek to challenge the district court's order through a petition for extraordinary relief. See NRS Chapter 34; NRAP 21.

⁵We grant appellant's motion to proceed in forma pauperis. Accordingly, no filing fee is due for this appeal.

cc: Hon. Dan L. Papez, District Judge
Lawrence Seville Parks
Attorney General Catherine Cortez Masto/Carson City
White Pine County Clerk