

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSEPH MICHAEL HILL, SR.,
Appellant,
vs.
CHAPARRAL BOATS, INC.,
Respondent.

No. 50318

FILED

JAN 23 2009

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

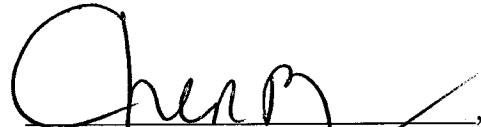
ORDER DISMISSING APPEAL

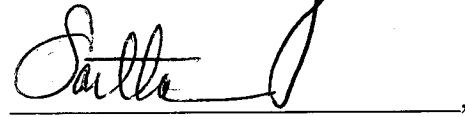
On January 7, 2009, this court entered an order dismissing this appeal in part and allowing it to proceed in part. Specifically, our order noted that to date, no written judgment on jury verdict, and thus no final judgment, has been entered in the matter below. Accordingly, our order dismissed this appeal as to all issues except the district court's September 5, 2007, order denying appellant's motion for a new trial.

After further review, it appears that the order denying the motion for new trial is not substantively appealable in the absence of a final judgment. See Reno Hilton Resort Corp. v. Verderber, 121 Nev. 1, 106 P.3d 134 (2005) (holding that NRAP 3A(b)(2) does not permit an appeal from an interlocutory order denying a new trial). Accordingly, this court lacks jurisdiction and this appeal is hereby dismissed. This dismissal is without prejudice to any aggrieved party's right to file a notice

of appeal from a final, written judgment or special order after final judgment entered below.

It is so ORDERED.


Cherry J.


Saitta J.


Gibbons J.

cc: Hon. Elizabeth Goff Gonzalez, District Judge
Carolyn Worrell, Settlement Judge
Greenman Goldberg Raby & Martinez
Lincoln, Gustafson & Cercos
Eighth District Court Clerk