


IN THE SUPREME COURT OF THE STATE OF NEVADA

CHARLES ELMORE LEWIS, JR.,  
Appellant,  
vs.  
MARIA ANASTACIA CABRERA-LAZO,  
Respondent.

No. 51372

**FILED**

MAY 09 2008

TRACE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from a district court order denying a motion to modify prior orders in a divorce case. Second Judicial District Court, Family Court Division, Washoe County; Frances Doherty, Judge.

Our review of the documents transmitted to this court pursuant to NRAP 3(e) reveals a jurisdiction defect. This court has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule.<sup>1</sup> No appeal is available from the district court's order denying the motion to modify prior orders, as it is not a final judgment nor is it a special order after final judgment that is independently appealable under NRAP 3A(b)(2).<sup>2</sup> Specifically, the order does not meet the requirements of a special order after final judgment as it does not affect the rights of any of the parties arising out of the final

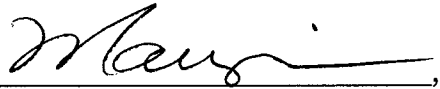
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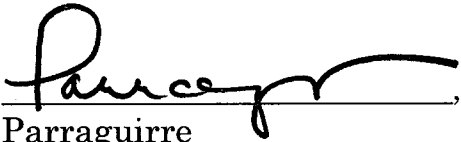
<sup>1</sup>Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984).

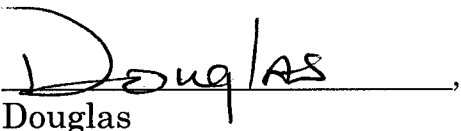
<sup>2</sup>See NRAP 3A.

judgment previously entered,<sup>3</sup> and there were no changed factual or legal circumstances that occurred following the final judgment in this case.<sup>4</sup> Accordingly, as we lack jurisdiction to consider this appeal, we

ORDER this appeal DISMISSED.<sup>5</sup>

  
\_\_\_\_\_, J.  
Maupin

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Douglas

cc: Hon. Frances Doherty, District Judge, Family Court Division  
Charles Elmore Lewis Jr.  
Maria Anastacia Cabrera-Lazo  
Washoe District Court Clerk

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<sup>3</sup>See Gumm v. Mainor, 118 Nev. 912, 920, 59 P.3d 1220, 1225 (2002).

<sup>4</sup>See Burton v. Burton, 99 Nev. 698, 700, 669 P.2d 703, 705 (1983).

<sup>5</sup>In light of this order we deny as moot appellant's request for transcripts. Additionally, appellant need not file the civil proper person appeal statement mailed to him on April 3, 2008.