

IN THE SUPREME COURT OF THE STATE OF NEVADA

ELBERT TINDELL,  
Appellant,  
vs.  
WILLIAM RAPAGLIA,  
Respondent.

No. 51781

**FILED**

AUG 14 2008

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

ORDER DISMISSING APPEAL

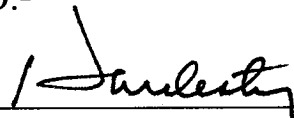
This is an appeal from a judgment, pursuant to a jury verdict, in a contract and tort action involving a business dispute. Second Judicial District Court, Washoe County; Brent T. Adams, Judge.


Our review of the documents transmitted to this court pursuant to NRAP 3(e) reveals a jurisdictional defect. Specifically, it does not appear that the district court has entered a final appealable judgment adjudicating all of the rights and liabilities of all the parties in the underlying case. A final judgment is one that disposes of all of the issues presented in a case, and leaves nothing for the future consideration of the court, except certain post-judgment issues.<sup>1</sup> Here respondent William Rapaglia's complaint named, among other defendants, Ab Unda Corporation. Nothing before this court indicates that any written order or judgment has been entered by the district court to dispose of Rapaglia's claims against Ab Unda Corporation. Because Rapaglia's claims against


<sup>1</sup>Lee v. GNLV Corp., 116 Nev. 424, 996 P.2d 416 (2000).

Ab Unda Corporation appear to remain pending below and it does not appear that the challenged order has been certified as final pursuant to NRCP 54(b), it appears this court lacks jurisdiction over this appeal. Accordingly, we

ORDER this appeal DISMISSED.<sup>2</sup>

  
\_\_\_\_\_, J.  
Hardesty

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

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

cc: Hon. Brent T. Adams, District Judge  
Elbert Tindell  
Law Offices of Mark Wray  
Washoe District Court Clerk

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<sup>2</sup>On June 23, 2008, appellant transmitted an application to proceed in forma pauperis to this court. Pursuant to NRAP 24(a), however, appellant is required to submit his application to the district court for its determination. Only if the district court denies this request can appellant seek a waiver of filing fees from this court. Accordingly, we deny appellant's request to waive the filing fee.