

IN THE SUPREME COURT OF THE STATE OF NEVADA

RUTH E. HULTGREN,
Appellant,
vs.
IMPERIAL PALACE HOTEL &
CASINO,
Respondent.

No. 52029

FILED

JUL 30 2008

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

ORDER DISMISSING APPEAL

This is a proper person appeal from an interlocutory order striking various documents and ordering appellant to pay \$500 in attorney fees and costs. Eighth Judicial District Court, Clark County; Elissa F. Cadish, Judge.

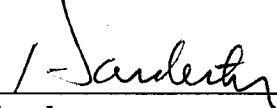
Our review of the documents transmitted to this court pursuant to NRAP 3(e) reveals a jurisdictional defect. This court has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule.¹ No statute or court rule authorizes an appeal from an interlocutory order granting a motion to strike and awarding attorney fees.² Although it appears that the district court entered an order approving a discovery commissioner's recommendation that appellant's amended complaint be stricken on March 31, 2008, it does not appear that a final judgment formally dismissing or otherwise resolving the

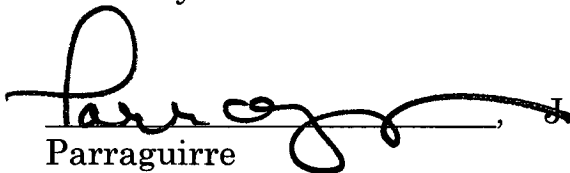
¹Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984).

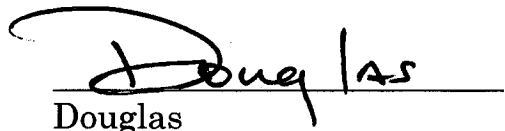
²See NRAP 3A(b) (listing orders and judgments from which an appeal may be taken).

underlying case has been entered.³ Once a final judgment has been entered, appellant may file an appeal from that order, and she may challenge the order granting the motion to strike and awarding attorney fees as well as any other interlocutory orders by which she is aggrieved as part of her appeal from the final judgment.⁴ Accordingly, we

ORDER this appeal DISMISSED.⁵


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Douglas

cc: Hon. Elissa F. Cadish, District Judge
Ruth E. Hultgren
Lewis Brisbois Bisgaard & Smith, LLP
Eighth District Court Clerk

³See Lee v. GNLV Corp., 116 Nev. 424, 426, 996 P.2d 416, 417 (2000) (defining a final judgment as a judgment that “disposes of all 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”).

⁴See Consolidated Generator v. Cummins Engine, 114 Nev. 1304, 971 P.2d 1251 (1998) (providing that, generally, interlocutory orders may be challenged within the context of an appeal from the final judgment).

⁵Appellant’s failure to pay the filing fee constitutes an independent basis for dismissing this appeal. Moreover, in light of this order, appellant need not file the civil proper person appeal statement and transcript request form mailed to her on July 14, 2008.