

IN THE SUPREME COURT OF THE STATE OF NEVADA

HENRY VACCARO, AN INDIVIDUAL;  
VINTAGE ASSOCIATES, LLC, A NEW  
JERSEY LIMITED LIABILITY COMPANY;  
VINTAGE POP, LLC, A NEW JERSEY  
LIMITED LIABILITY COMPANY; AND  
HENRY VACCARO, JR., AN INDIVIDUAL,  
Appellants,

vs.

MICHAEL J. JACKSON, AN INDIVIDUAL;  
UNIVERSAL EXPRESS, INC., A NEVADA  
CORPORATION; AND BARLAN  
ENTERPRISES, LTD., D/B/A GUERNSEY'S,  
A NEW YORK CORPORATION,  
Respondents.

No. 52067

**FILED**

**MAY 28 2009**

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

ORDER DISMISSING APPEAL

This is an appeal from a district court oral ruling approving a stipulation and agreement between the various respondents, who were the original plaintiffs and defendants in the underlying district court action, for the release of certain personal property to certain respondents and rejecting the objections of appellants, who are plaintiffs in intervention.

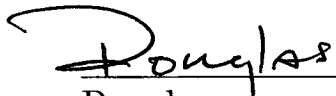
When our preliminary review of the docketing statement and the documents submitted to this court pursuant to NRAP 3(e) revealed a potential jurisdictional defect, we directed appellants to show cause why the appeal should not be dismissed. Specifically, an oral ruling is ineffective for any purpose, and no appeal may be taken from such a ruling. Rust v. Clark Cty. School District, 103 Nev. 686, 689, 747 P.2d 1380, 1382 (1987). Appellants did not respond to our order to show cause.

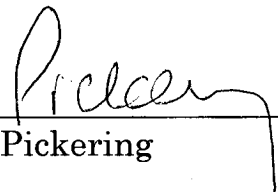
In their docketing statement, appellants explained that they did not wait for a written order from the district court, as the district court gave them only ten days to appeal its ruling. Appellants, however, did not subsequently provide a copy of the written order to this court. Moreover,

even if a written order has been entered, it does not appear to be substantively appealable. See NRAP 3A(b). Generally, this court has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule. Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984). In their docketing statement, appellants contended that the challenged order was appealable under NRAP 3A(b)(3). But the underlying district court case does not appear to involve an action to redeem property from a lien or an action for partition. And, because appellants have failed to respond to the order to show cause, appellants have not demonstrated that this rule applies and that we have jurisdiction over this appeal. Accordingly, we

ORDER this appeal DISMISSED.

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

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

  
\_\_\_\_\_, J.  
Pickering

cc: Hon. Elizabeth Goff Gonzalez, District Judge  
Ara H. Shirinian, Settlement Judge  
Kajioka & Associates  
Pease & De Petris  
Gordon & Silver, Ltd.  
Kummer Kaempfer Bonner Renshaw & Ferrario/Las Vegas  
Moscowitz & Moscowitz, PA  
Venable, LLC  
Eighth District Court Clerk