

IN THE SUPREME COURT OF THE STATE OF NEVADA

VIP BAIL BONDS AND CARMITA LEE WALKER,
Appellants,

No. 53075

vs.

CITY OF LAS VEGAS,
Respondent.

VIP BAIL BONDS AND LATANYA BURLEY,
Appellants,

No. 53076

vs.

CITY OF LAS VEGAS,
Respondent.

VIP BAIL BONDS AND EDDIE RUSS,
Appellants,

No. 53077

vs.

CITY OF LAS VEGAS,
Respondent.

FILED

MAY 28 2009

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

ORDER DISMISSING APPEALS

These are appeals from district court orders dismissing appeals from municipal court orders. Eighth Judicial District Court, Clark County; Kathy A. Hardcastle, Judge.

When our preliminary review of the docketing statements and the NRAP 3(e) documents revealed a potential jurisdictional defect, we ordered appellants to show cause why these appeals should not be dismissed for lack of jurisdiction. Specifically, it appeared that the orders designated in the notices of appeal were not substantively appealable because they resolved appeals from cases that arose in the municipal court, and the district court has final appellate jurisdiction over cases arising in municipal courts. Nev. Const. art. 6, § 6; Tripp v. City of Sparks, 92 Nev. 362, 550 P.2d 419 (1976); see also Waugh v. Casazza, 85

Nev. 520, 521, 458 P.2d 359, 360 (1969) (noting that “[t]he district court has final appellate jurisdiction in cases arising in the justice’s court”).

Appellants have timely responded, asserting that this court has jurisdiction over these appeals because they are not appeals from the municipal court, but rather, from the district court. Appellants direct us to the reasoning set forth in Floyd v. District Court, 36 Nev. 349, 135 P. 922 (1913), in which this court concluded that the district court should have exercised jurisdiction over an appeal from a justice court order and issued a writ of mandamus directing the district court to do so. Appellants assert that because they are contesting the district court’s failure to rule on the merits of their appeals from the municipal court, this court, by analogy, has jurisdiction to consider these appeals. Appellants also point to City of Las Vegas v. Walsh, 121 Nev. 899, 124 P.3d 203 (2005), in which this court considered an appeal from a district court order that resolved a writ petition challenging a municipal court decision.

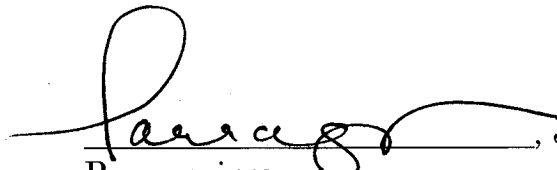
Respondent has timely filed a reply, as permitted, in which it points out that Floyd and City of Las Vegas are inapposite, as in Floyd, this court’s original, not appellate, jurisdiction, was invoked, and in City of Las Vegas, this court was not reviewing the district court’s appellate decision, but rather its resolution of a writ petition that invoked its original jurisdiction, under NRS 2.090(2).¹

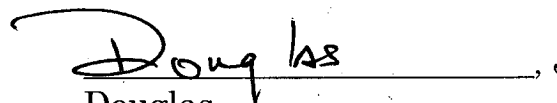
¹Respondent also suggests that this court has previously entered orders that might conflict with the proposition that the district court has final appellate jurisdiction in bail bond cases arising from the municipal courts, because in those orders, this court concluded that the district court lacked jurisdiction to hear the appeals at issue, since the lower court proceedings that they arose from were ancillary. Cf. International Fid.

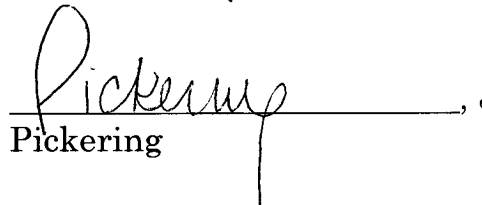
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As noted above, the district court has final appellate jurisdiction over cases arising in municipal courts. Nev. Const. art. 6, § 6; Tripp, 92 Nev. 362, 550 P.2d 419. As the district court orders challenged resolved appellate, not original jurisdiction, matters arising from municipal court proceedings, this court lacks jurisdiction to consider these appeals. Accordingly, we

ORDER these appeals DISMISSED.²


Parraguirre, J.


Douglas, J.


Pickering, J.

cc: Hon. Kathy A. Hardcastle, District Judge
David Lee Phillips & Associates
Las Vegas City Attorney
Jill Jacoby, Court Reporter
Court Reporter, Department IV, Eighth Judicial District Court
Eighth District Court Clerk

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Ins. v. State of Nevada, 122 Nev. 39, 42, 126 P.3d 1133, 1134 (2006). Whether the district court had jurisdiction over the municipal court appeals in this case, however, is not relevant to determining whether this court has jurisdiction to consider the district court appeals.

²In light of this order, we deny as moot appellants' motions to consolidate these appeals.