IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM ERRICO ESQ., AND THE LAW OFFICES OF WILLIAM ERRICO AND ASSOCIATES, Appellants, vs. MIRANDA LUCERO AND FEDEX GROUND PACKAGE SYSTEMS, INC., Respondents.

No. 53179

AUG 2 5 2009

FILED

ORDER DISMISSING APPEAL

This is an appeal from a district court order adjudicating an attorney's lien. Eighth Judicial District Court, Clark County; Valorie Vega, Judge.

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 this appeal should not be dismissed. Specifically, it appeared that appellants are not aggrieved parties with standing to appeal because they were not parties to the underlying district court action, but rather were counsel to a party. <u>See</u> NRAP 3A(a); <u>Albert D. Massi, Ltd. v. Bellmyre</u>, 111 Nev. 1520, 1521, 908 P.2d 705, 706 (1995) (holding that an attorney, as a non-party to the underlying litigation, must challenge a district court order regarding an attorney's lien against a former client by writ petition, not appeal).

Appellants filed a timely response, and although they concede that <u>Massi</u> appears to bar this appeal, they nonetheless argue that this court should accept jurisdiction to remedy another lawyer's allegedly

SUPREME COURT OF NEVADA

1947A

criminal conduct. But "[j]urisdictional rules go to the very power of this court to act." <u>Rust v. Clark Cty. School District</u>, 103 Nev. 686, 688, 747 P.2d 1380, 1382 (1987). We are not persuaded that our clear jurisdictional precedent is appropriately disregarded simply because appellants believe that their appeal has merit.¹ Accordingly, as we lack jurisdiction, <u>see</u> NRAP 3A(a); <u>Massi</u>, 111 Nev. at 1521, 908 P.2d at 706, we

ORDER this appeal DISMISSED.²

Parraguirre J. J. Pickering

cc: Hon. Valorie Vega, District Judge William F. Buchanan, Settlement Judge William Errico & Associates Alverson Taylor Mortensen & Sanders Prince & Keating, LLP Eighth District Court Clerk

¹Appellants are free to challenge the district court's order by filing an original writ petition pursuant to NRAP 21 and NRS Chapter 34.

²We deny all pending motions as moot in light of this order. We further direct the clerk of this court to return, unfiled, appellants' opening brief and appendix, received on June 25, 2009.

SUPREME COURT OF NEVADA

(O) 1947A