

IN THE SUPREME COURT OF THE STATE OF NEVADA

SCOTT PETWAY,
Appellant,
vs.
AMY LYNN VAN HOOK,
Respondent.

No. 55226

FILED

MAR 10 2010

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

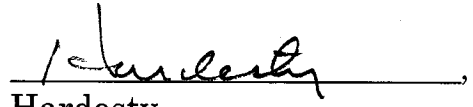
ORDER DISMISSING APPEAL

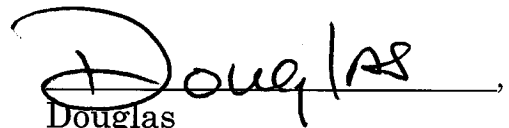
This is a proper person appeal from an interim district court order concerning possession of certain property. Eighth Judicial District Court, Clark County; Lee A. Gates, Judge.

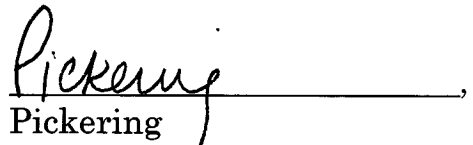
Our review of the documents before us on appeal reveals a jurisdictional defect. Specifically it appears that the order appellant is challenging is not a final appealable judgment. See NRAP 3A(b)(1) (providing for an appeal from a final judgment in an action or proceeding). A final judgment is one that disposes of all issues presented in the case and leaves nothing for the future consideration of the district court, except for post-judgment issues such as attorney fees and costs. Lee v. GNLV Corp., 116 Nev. 424, 996 P.2d 416 (2000). Here, the challenged order directs that each party take possession of certain property pending a final hearing in the matter; the order does not itself make any final

determinations. Accordingly, as a final judgment has not been entered in the underlying case, we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.¹

 _____, J.
Hardesty

 _____, J.
Douglas

 _____, J.
Pickering

cc: Eighth Judicial District Court Dept. B, District Judge
Scott Petway
Amy Lynn Van Hook
Eighth District Court Clerk

¹We deny appellant's motion for a stay as moot in light of this order. Appellant's failure to pay the filing fee constitutes an independent basis on which to dismiss this appeal.