

IN THE SUPREME COURT OF THE STATE OF NEVADA

REBECCA CHRISTINE GANDARA, A/K/A  
REBECCA SCHWARTZ,

Appellant,

vs.

DAVID SCHWARTZ,

Respondent.

No. 35071

**FILED**

DEC 13 1999

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Bloom*  
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

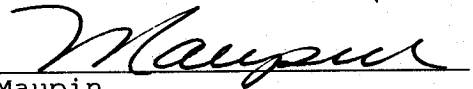
This is a proper person appeal from an order granting visitation to the purported paternal grandmother of a minor child. It appears that in the underlying divorce action, there is some question as to the paternity of the child. The mother of appellant's husband moved for and was granted weekend visitation with the child pending a final determination of paternity and custody.

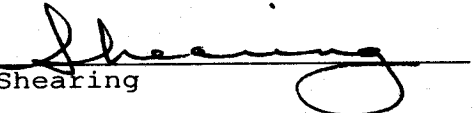
The right to appeal is statutory; if no statute or court rule provides for an appeal, no right to appeal exists. See Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984); Kokkos v. Tsalikis, 91 Nev. 24, 530 P.2d 756 (1975). We note that NRAP 3A(b)(2) provides for an appeal from an order finally determining the custody of minor children. However, here, the order appealed from is not final, as the underlying divorce action remains pending in the district court. See NRAP 3A(b)(1) and (2).

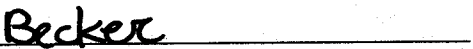
09-12475

We conclude that we lack jurisdiction over this appeal. Accordingly, we

ORDER this appeal dismissed.<sup>1</sup>

  
Maupin J.

  
Shearing J.

  
Becker J.

cc: Hon. Steven E. Jones, District Judge,  
Family Court Division  
Rebecca Christine Gandara  
David Schwartz  
Clark County Clerk

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<sup>1</sup>Although appellant was not granted leave to file papers in proper person, see NRAP 46(b), we have considered the proper person documents received from appellant.