

IN THE SUPREME COURT OF THE STATE OF NEVADA

GARY WAYNE WALTERS,
Appellant,
vs.
THE STATE OF NEVADA; CLARK
COUNTY DISTRICT ATTORNEY;
SCOTT MITCHALL AND JOE KELLY,
Respondents.

No. 56232

FILED

SEP 29 2010

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


ORDER DISMISSING APPEAL


This is a proper person appeal from a district court order dismissing appellant's complaint against two of several defendants. Eighth Judicial District Court, Clark County; Susan Johnson, Judge.

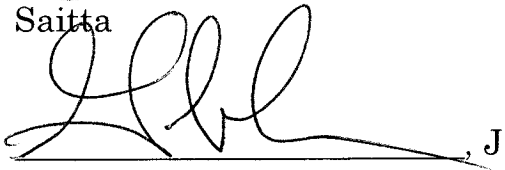
Our review of the documents before us on appeal reveals a jurisdictional defect. Specifically, it appears that the order appellant is challenging is not a final, appealable judgment. See NRAP 3A(b)(1) (providing for an appeal from a final judgment in an action or proceeding). A final judgment is one 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, appellant's complaint remains pending against several defendants. Accordingly, as it appears

that 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.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

cc: Hon. Susan Johnson, District Judge
Gary Wayne Walters
Clark County District Attorney/Civil Division
Eighth District Court Clerk

¹We deny appellant's July 9, 2010, motion to stay this appeal while the district court action proceeds.