

IN THE SUPREME COURT OF THE STATE OF NEVADA

TIMOTHY FASANO AND REBECCA
FASANO, HUSBAND AND WIFE,
Appellants,
vs.
WAL-MART STORES, INC., A DELAWARE
CORPORATION; WCW CORPORATION, A
NEVADA CORPORATION; AND FALLON
GAMING CORPORATION, A NEVADA
CORPORATION,
Respondents.

No. 57662

FILED

MAY 20 2011

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 denying appellants' motion to disqualify a district court judge. Third Judicial District Court, Churchill County; David A. Huff, Judge.

No statute or court rule authorizes an appeal from an order denying disqualification of a judge, and thus the challenged order is not substantively appealable. See NRAP 3A(b) (listing orders and judgments from which an appeal may be taken); see also Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 209, 678 P.2d 1152, 1153 (1984) (stating that an appeal may be taken only when authorized by rule or statute). Accordingly, as we lack jurisdiction to consider this appeal, we

ORDER this appeal DISMISSED.¹

Cherry, J.
Cherry

Gibbons, J.
Gibbons

Pickering, J.
Pickering

¹We deny all pending motions as moot in light of this order.

cc: Hon. David A. Huff, District Judge
Rebecca Fasano
Timothy Fasano
Kent Law
Kravitz, Schnitzer, Sloane, Johnson & Eberhardy, Chtd.
Thorndal Armstrong Delk Balkenbush & Eisinger/Reno
Churchill County Clerk