

IN THE SUPREME COURT OF THE STATE OF NEVADA

CITY OF BOULDER CITY,  
Appellant,  
vs.  
DANIEL D. JENSEN; NANCY  
NOLETTE; AND JAMES C. DOUGLASS,  
Respondents.

No. 58336

**FILED**

JUL 26 2012

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY A. HODSON  
DEPUTY CLERK

ORDER DISMISSING APPEAL

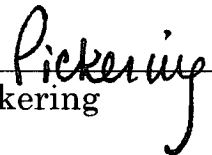
This is an appeal from an interlocutory district court order sanctioning appellant under NRCP 11(c). Eighth Judicial District Court, Clark County; Susan Scann, Judge.

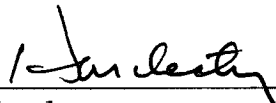
When our preliminary review of the docketing statement and the NRAP 3(g) documents revealed a potential jurisdictional defect, we ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. Specifically, it appeared that a final judgment had not been entered and no statute or rule provides for an appeal from an interlocutory NRCP 11 sanctions order. See NRAP 3A(b) (listing orders and judgments for which an appeal may be taken); see also Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 209, 678 P.2d 1152, 1153 (1984) (noting that this court generally has jurisdiction to consider an appeal only when authorized by statute or court rule). Appellant timely responded, arguing that this court should construe the NRCP 11 sanctions order as a declaratory order and that the district court had “certified” the order for appeal under NRCP 54(b). Respondents filed a reply, arguing that appellant failed to provide any legal basis as to why the district court order is appealable.

The district court's sanctions order did not "declare rights, status and other legal relations" as a declaratory judgment would. NRS 30.030 (setting out the scope of declaratory judgments). Rather, the order imposed monetary and nonmonetary sanctions under NRCP 11(c). The district court order also specifically noted that no ruling has been made on the merits of appellant's petition, and thus no final judgment has been entered. Further, the district court order is not amenable to certification under NRCP 54(b) (explaining that the district court may certify an order as final when a party is removed from the action and no just reason for delay exists). Consequently, we conclude that the district court order is not substantively appealable. See Pengilly v. Rancho Santa Fe Homeowners, 116 Nev. 646, 5 P.3d 569 (2000) (concluding that this court does not have jurisdiction over appeals from contempt orders). Accordingly, as we therefore lack jurisdiction, we

ORDER this appeal DISMISSED.

 \_\_\_\_\_, J.  
Saitta

 \_\_\_\_\_, J.  
Pickering

 \_\_\_\_\_, J.  
Hardesty

cc: Hon. Susan Scann, District Judge  
Lionel Sawyer & Collins/Las Vegas  
Linda G. Strickland  
Tracy Strickland  
Eighth District Court Clerk