

IN THE SUPREME COURT OF THE STATE OF NEVADA

LISA CHAMLEE,
Appellant,
vs.
CAMERON LEE MORRISSEY,
Respondent.

No. 59872

FILED

OCT 08 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY: *Angela*
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order denying a motion to reopen discovery. Eighth Judicial District Court, Family Court Division, Clark County; Charles J. Hoskin, Judge.

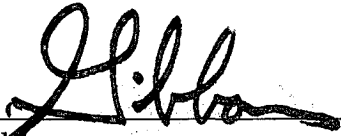
Respondent has filed a motion to dismiss this appeal, which appellant opposes. In his motion, respondent contends that the order appellant is challenging on appeal is not substantively appealable, and therefore, this court lacks jurisdiction to consider the appeal. Appellant contends that the order is appealable under NRAP 3A(b)(7) because it alters the custody of the parties' minor child.


This court generally has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule. Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 209, 678 P.2d 1152, 1153 (1984). No statute or court rule authorizes an appeal from an order denying a motion to reopen discovery. See NRAP 3A(b) (listing orders and judgments from which an appeal may be taken). Moreover, contrary to appellant's assertion, the district court's order does not alter the child custody arrangement, as the order simply allows for the reunification process that was adopted in the divorce decree to proceed. Besides, the order does not finally establish the child custody arrangement, NRAP

3A(b)(7) (authorizing an appeal from an order “that finally establishes or alters the custody of minor children”), and thus, it is not substantively appealable. Once the district court enters a final custody order, any aggrieved party with standing may appeal. See NRAP 3A(a); Valley Bank of Nevada v. Ginsburg, 110 Nev. 440, 446-48, 874 P.2d 729, 734-35 (1994) (explaining that a party is aggrieved when the district court’s order adversely and substantially affects a personal right or right of property). Accordingly, as we lack jurisdiction to consider this appeal, we grant respondent’s motion to dismiss the appeal, and we

ORDER this appeal DISMISSED.¹


_____, J.
Douglas


_____, J.
Gibbons


_____, J.
Parraguirre

cc: Hon. Charles J. Hoskin, District Judge, Family Court Division
Carolyn Worrell, Settlement Judge
Stovall & Associates
Hanratty Law Group
Eighth District Court Clerk

¹In light of this order, we deny all remaining pending motions as moot.