

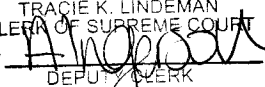
IN THE SUPREME COURT OF THE STATE OF NEVADA

LAWRENCE W. MCGARY,
Appellant,
vs.
CHRISTOPHER W. JAMES; DOMINIC
ROSSI; AND RICK ESPINOSA,
Respondents.

No. 60135

FILED

DEC 04 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order refusing to terminate a corporate custodianship. Eighth Judicial District Court, Clark County; Susan Scann, Judge.

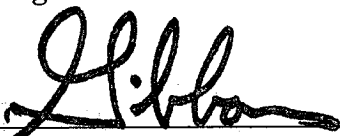
When our preliminary review of the docketing statement and the NRAP 3(g) documents revealed a potential jurisdictional defect, we ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. Specifically, it appeared that the order designated in the notice of appeal was not substantively appealable because the order merely refused to terminate a temporary custodianship and announced the court's intention to appoint receivers in the future. See generally Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984) (recognizing that, generally, this court has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule); Shapemasters Golf Course v. Shapemasters, 602 S.E.2d 83, 86-87 (S.C. Ct. App. 2004) (determining that an order appointing or continuing the appointment of a custodian, unlike an order appointing a receiver, is a non-appealable interlocutory order); cf. NRAP 3A(b)(4) (providing for


appeals from orders actually appointing, or refusing to vacate an order appointing, a receiver).

After considering the parties' timely responses, in which appellant argues that the court's announcement that it would appoint receivers should be appealable at this time, we conclude that this appeal is not authorized by statute or court rule, cf. NRAP 3A(b)(4), and thus, we

ORDER this appeal DISMISSED.


_____, J.
Douglas


_____, J.
Gibbons


_____, J.
Parraguirre

cc: Hon. Susan Scann, District Judge
Salvatore C. Gugino, Settlement Judge
Santoro Whitmire
Gordon Silver
Hutchison & Steffen, LLC
Eighth District Court Clerk