

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF: ESTATE OF
JOHN J. MORIARTY, DECEASED.

No. 60985

FILED

SEP 13 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *A. Malink*
DEPUTY CLERK

BRIDGET MORIARTY,
Appellant,
vs.
ANTHONY L. BARNEY,
Respondent.

ORDER DISMISSING APPEAL

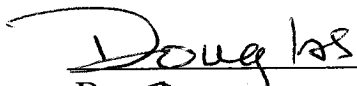
This is a proper person appeal from an interlocutory district court order reducing an attorney's lien to judgment.¹ Eighth Judicial District Court, Clark County; Gloria Sturman, Judge.

Attorney Anthony Barney, appellant's former counsel in the underlying probate matter, moves to dismiss this appeal on the basis that the district court judgment is not a final judgment, and is thus not appealable. Having considered the motion and having reviewed the documents before this court, it appears that the underlying probate matter is still open and that the May 9, 2012, attorney's lien judgment against the appellant is not a final judgment adjudicating all rights as to all parties in the probate matter. NRAP 3A(b)(1). Thus, as an interlocutory judgment,


¹This appeal was docketed naming the executor of the decedent's estate as the respondent. As this matter arises from an independent dispute between the appellant and her attorney, we direct the clerk of this court to amend the caption consistent with this order.

it cannot be independently appealed, although it may be challenged as part of an appeal from a final judgment entered in the probate matter, once a final judgment is entered. Consolidated Generator v. Cummins Engine, 114 Nev. 1304, 1312, 971 P.2d 1251, 1256 (1998). Accordingly, we grant Barney's motion, and we

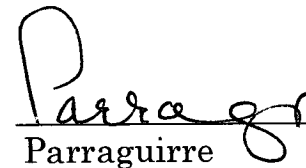
ORDER this appeal DISMISSED.

 _____, J.

Douglas

 _____, J.

Gibbons

 _____, J.

Parraguirre

cc: Hon. Gloria Sturman, District Judge
Bridget Moriarty
Anthony A. Zmaila Limited PLLC
Anthony L. Barney, Ltd.
Eighth District Court Clerk