

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE PARENTAL  
RIGHTS AS TO B.B.

No. 62360

**FILED**

**JUL 24 2013**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY R. Malone  
DEPUTY CLERK

MARK B. AND MELISSA P.,  
Appellants,  
vs.  
B.B. AND THE STATE OF NEVADA,  
Respondents.

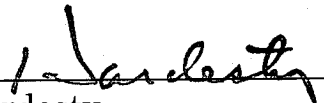
*ORDER DISMISSING APPEAL*

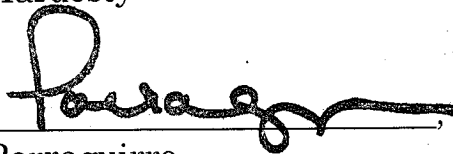
This is an appeal from a juvenile court order arising in an NRS Chapter 432B proceeding. Fourth Judicial District Court, Elko County; Alvin R. Kacin, Judge.

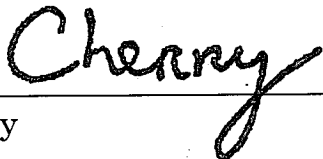
Respondent State of Nevada has moved to dismiss this appeal for lack of jurisdiction; appellants oppose the motion. Although in the challenged order, the juvenile court sustained the State of Nevada's custody over the subject child, because the order arises from an abuse and neglect proceeding in a juvenile court, it is not a final district court order establishing or altering child custody, and this court thus lacks jurisdiction to consider this appeal. NRAP 3A(b)(7) (authorizing an appeal from an order "that did not arise in a juvenile court that finally establishes or alters the custody of minor children"); *cf. Matter of Guardianship of N.S.*, 122 Nev. 305, 130 P.3d 657 (2006) (recognizing that a writ of mandamus is the appropriate remedy when challenging an order in an

abuse and neglect proceeding). Accordingly, as we lack jurisdiction, we grant the motion and

ORDER this appeal DISMISSED.<sup>1</sup>

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

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Cherry

cc: Hon. Alvin R. Kacin, District Judge  
David D. Loreman  
Barbara W. Gallagher  
Michelle L. Rodriguez  
Elko County District Attorney  
Attorney General/Reno  
Elko County Clerk

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<sup>1</sup>Appellants' request that, if this court concludes that it lacks jurisdiction over this appeal, it convert the appeal to a writ petition is denied.