

IN THE SUPREME COURT OF THE STATE OF NEVADA

RAND PROPERTIES, LLC,
Appellant,
vs.
DANIEL AND EDDYANN FILIPPINI;
AND JULIAN TOMERA RANCHES,
INC., BATTLE MOUNTAIN DIVISION,
Respondents.

No. 63247

FILED

SEP 16 2013

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

ORDER DISMISSING APPEAL


This is an appeal from a district court order adjudicating certain issues in a water rights case. Sixth Judicial District Court, Lander County; Richard Wagner, Judge.

Respondents have filed a motion to dismiss this appeal, asserting that the order before this court is not a final, appealable order. Appellant has filed a response, conceding that additional issues remain pending before the district court and explaining that it filed its notice of appeal as a precaution in light of language in the district court's order indicating that it was a final judgment.


Having considered the parties' arguments and the documents before this court, we conclude that, despite any language to the contrary included in the challenged order, the district court's order is not a final judgment, as it did not resolve all of the substantive issues pending before that court. *See* NRAP 3A(b)(1) (providing for an appeal from a final judgment); *Pengilly v. Rancho Santa Fe Homeowners Ass'n*, 116 Nev. 646, 649, 5 P.3d 569, 571 (2000) (recognizing that this court has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule); *Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000)

(explaining that “a final judgment is one that disposes of all the issues presented in the case, and leaves nothing for the future consideration of the court, except for post-judgment issues such as attorney’s fees and costs”). Accordingly, we lack jurisdiction to consider this appeal, and we therefore

ORDER this appeal DISMISSED.


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Saitta

cc: Hon. Richard Wagner, District Judge
Robert L. Eisenberg, Settlement Judge
Marvel & Kump, Ltd.
Parsons Behle & Latimer/Reno
Schroeder Law Offices, P.C.
Gerber Law Offices, LLP
Lander County Clerk