

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE PARENTAL  
RIGHTS AS TO: A.P.M., JR.; AND  
E.M.M.

No. 64214

ARLI P.M.,  
Appellant,

vs.

STATE OF NEVADA DEPARTMENT  
OF FAMILY SERVICES; A.P.M., JR.;  
AND E.M.M., MINORS,  
Respondents.

IN THE MATTER OF THE PARENTAL  
RIGHTS AS TO: A.P.M., JR. AND  
E.M.M.

No. 64274 ✓

**FILED**

JUL 28 2014

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

ABIGAIL L.M.,  
Appellant,

vs.

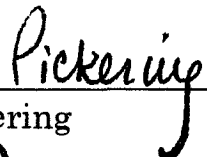
STATE OF NEVADA DEPARTMENT  
OF FAMILY SERVICES; A.P.M., JR.;  
AND E.M.M.,  
Respondents.

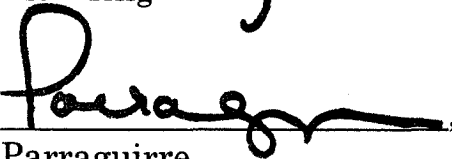
*ORDER DISMISSING APPEAL IN DOCKET NO. 64274*


These are consolidated appeals from a district court order terminating appellants' parental rights as to the minor children. On June 25, 2014, appellant Abigail L.M.'s attorney filed a suggestion of death with this court suggesting on the record the death of Abigail L.M. When a party to an appeal dies, this court is unable to render any decision as to the merits of the appeal without the substitution of a personal representative on behalf of the deceased party because any decision rendered will have no effect against the deceased party's estate without such substitution. *See Koester v. Estate of Koester*, 101 Nev. 68, 72, 693

P.2d 569, 572 (1985). Here, no notice of substitution has been filed. Nevertheless, because this appeal concerns Abigail L.M.'s parental rights as to the minor children and her estate has no interest in those rights, see *Christian Placement Service, New Mexico Christian Children's Home v. Gordon*, 697 P.2d 148, 152 (N.M. Ct. App. 1985) (explaining that a deceased parent's estate has no interest in the deceased parent's right to raise the child), *superseded by statute on other grounds as recognized in Lucero v. Hart*, 907 P.2d 198 (N.M. Ct. App. 1995), a substitution of a personal representative on behalf of Abigail L.M. would be improper. As Abigail L.M. is now deceased and her estate has no interest in this appeal, we dismiss the appeal docketed in Docket No. 64274. The clerk of this court shall strike the opening brief filed by Abigail L.M. on June 19, 2014. In respondents' answering briefs, we will only consider the arguments relevant to the remaining appellant, Arli P.M.

It is so ORDERED.

  
\_\_\_\_\_, J.  
Pickering

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

  
\_\_\_\_\_, J.  
Saitta

cc: Hon. Frank P. Sullivan, District Judge, Family Court Division  
Valarie I. Fujii & Associates  
Special Public Defender  
Legal Aid Center of Southern Nevada  
Clark County District Attorney/Juvenile Division  
Eighth District Court Clerk