

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHENGDU EMILY, LLC, A NEVADA
LIMITED LIABILITY COMPANY,
Appellant,

vs.

JIM REILLY; THOMAS MARSAW; AND
KRISTIN ROUTH-SILBERMAN,
Respondents.

No. 64821

FILED

JUN 30 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court judgment on a court-annexed arbitration award. Eighth Judicial District Court, Clark County; Ronald J. Israel, Judge.

After a court-ordered arbitration, the arbitrator awarded respondents attorney fees. Appellant Chengdu Emily, LLC, challenged the arbitrator's award, and the arbitration commissioner reduced the award. Pursuant to NAR 8(B), respondents sought judicial review of the arbitration commissioner's decision. The district court had "the *non-reviewable* power to uphold, overturn or modify the commissioner's ruling," NAR 8(B) (emphasis added), and we therefore lack jurisdiction over this appeal under NAR 8(B). NAR 19(B) similarly precludes this court from exercising jurisdiction over this appeal because no party requested a trial de novo,¹ the district court entered judgment, and such a judgment "may not be appealed." NAR 19(B).

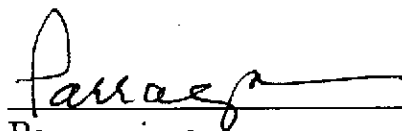
¹Chengdu Emily's reliance on *Chamberland v. Labarbera*, 110 Nev. 701, 703-04, 877 P.2d 523, 524 (1994), is misplaced because the appellant in that case requested a trial de novo, so NAR 19(B) did not apply.

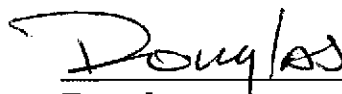
Chengdu Emily alternatively argues NAR 8(B) and NAR 19(B) are unconstitutional because this court has “appellate jurisdiction in all civil cases arising in district courts.” Nev. Const. art. 6, § 4(1). Because “we may only consider appeals authorized by statute or court rule,” this argument is unavailing. *Brown v. MHC Stagecoach, LLC*, 129 Nev., Adv. Op. 37, 301 P.3d 850, 851 (2013).

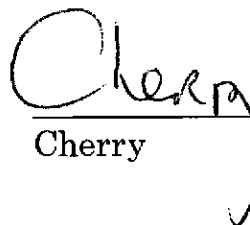
Last, Chengdu Emily asks this court to treat this appeal as a petition for extraordinary writ relief. Given the clarity of NAR 8(B) and NAR 19(B), we decline to do so. *Cf. Clark Cnty. Liquor & Gaming Licensing Bd. v. Clark*, 102 Nev. 654, 658, 730 P.2d 443, 446 (1986).

Accordingly, we

ORDER this appeal DISMISSED without prejudice to Chengdu Emily’s ability to file a petition for extraordinary writ relief.


_____, J.
Parraguirre


_____, J.
Douglas


_____, J.
Cherry

cc: Hon. Ronald J. Israel, District Judge
Nathaniel J. Reed, Settlement Judge
Wetherall Group, LTD.
David J. Winterton & Associates, Ltd.
Eighth District Court Clerk