

IN THE SUPREME COURT OF THE STATE OF NEVADA

MONA L. SNAPE,

No. 36152

Appellant,

vs.

MONT E. TANNER AND DAVID A. BOOKE,

Respondents.

FILED

APR 05 2001

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richard*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from a district court order granting in part and denying in part appellant Mona L. Snape's motion to alter or amend the judgment.¹

"[T]his court has jurisdiction to entertain an appeal only where an appeal is authorized by statute or court rule."² There is no such authorization for an appeal from the denial of a motion to alter or amend a judgment.³ Thus, Snape's appeal from the district court's order insofar as it denied her motion to alter or amend the judgment is not properly before this court.

Likewise, this court cannot entertain Snape's appeal from the district court's order insofar as it granted the motion to alter or amend the judgment. First, only aggrieved parties may appeal,⁴ and Snape is not aggrieved by the alteration or amendment, which recognized that Snape might be entitled to more of the proceeds from the sale of the real properties and the mobile homes than respondent David A.

¹Snape labeled her motion as one for "Relief for [sic] Judgment," but specifically relied on NRCP 59(e), governing motions to alter or amend judgments.

²Valley Bank of Nevada v. Ginsburg, 110 Nev. 440, 444, 874 P.2d 729, 732 (1994).

³See NRAP 3A(b); Uniroyal Goodrich Tire v. Mercer, 111 Nev. 318, 320 n.1, 890 P.2d 785, 787 n.1 (1995).

⁴See NRAP 3A(a).

Booke. Second, the judgment as altered or amended is not final because it leaves for the district court's future consideration Snape's counterclaims and the issues of Snape's and Booke's entitlement to the sale proceeds.⁵ Thus, the district court's order insofar as it altered or amended the judgment is not appealable.

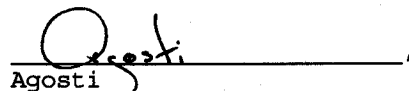
Finally, Snape's appeal cannot be characterized as being from an interlocutory judgment in an "action[] for partition which determines the rights and interests of the respective parties and directs partition, sale or division to be made."⁶ As discussed above, the extent of Snape's and Booke's rights and interests in the sale proceeds have yet to be determined.

Accordingly, as we lack jurisdiction over this appeal, we

ORDER this appeal DISMISSED.⁷



Shearing J.



Agosti J.



Rose J.

cc: Hon. Mark R. Denton, District Judge
Mont E. Tanner
Mona L. Snape
Clark County Clerk

⁵NRAP 3A(b)(1); Lee v. GNLV Corp., 116 Nev. ___, 996 P.2d 416 (2000).

⁶NRAP 3A(b)(3).

⁷Although Snape has not been granted permission to file documents in this matter in proper person, see NRAP 46(b), we have received and considered her proper person documents.