

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

BETTY MESI,
Appellant,
vs.
SELECT PORTFOLIO SERVICING;
NATIONAL DEFAULT SERVICING
CORPORATION; AND TIFFANY &
BOSCO, P.A.,
Respondents.

No. 69283

FILED

MAR 17 2016

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

ORDER DISMISSING APPEAL

This is an appeal from a district court order dismissing a complaint in a slander of title action. Although the underlying complaint identified appellant as a plaintiff in the caption and bore her signature, there is no indication in the record that she ever paid the district court filing fee, *see* NRS 19.013(1) (requiring the clerk of the court to collect a fee of \$56.00 to commence a district court action), or moved that court to proceed without payment of costs.¹ *See* NRS 12.015 (providing that a person who wishes to prosecute a civil action without costs may “[f]ile an affidavit with the court setting forth with particularity facts concerning the person’s income, property and other resources which establish that the person is unable to prosecute or defend the action because the person is unable to pay the costs of so doing”). Because appellant neither paid the

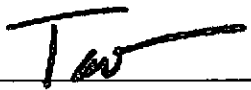
¹Appellant’s co-plaintiff in the underlying action, her son Eric Mesi, filed a motion pursuant to NRS 12.015, which was granted by the district court, and the action proceeded as to him until it was dismissed, without prejudice, based on his failure to appear at a contempt hearing. But Eric Mesi did not appeal from the dismissal, and thus, he is not a party before this court.

filing fee nor obtained an order to proceed in forma pauperis, we conclude that she never became a party to the action below. See NRS 12.015; NRS 19.013(1).

Thus, because only a party may appeal from an adverse district court judgment, appellant did not have a right to appeal the dismissal of the underlying action, and we therefore lack jurisdiction over this appeal. See NRAP 3A(a) (providing for an appeal by an aggrieved party); *Albert D. Massi, Ltd. v. Bellmyre*, 111 Nev. 1520, 1521, 908 P.2d 705, 706 (1995) (explaining that only a party has a right to appeal an adverse decision of the district court). Accordingly, we

ORDER this appeal DISMISSED.²


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Silver

cc: Hon. Patrick Flanagan, District Judge
Betty Mesi
Washoe District Court Clerk

²As we lack jurisdiction over this appeal, we take no action on the documents filed by appellant on December 14, 2015; January 5, 2016; February 3, 2016; and March 16, 2016.