

IN THE SUPREME COURT OF THE STATE OF NEVADA

PARK WEST COMPANIES INC., A  
NEVADA CORPORATION,

Appellant,

vs.

AMAZON CONSTRUCTION  
CORPORATION, A NEVADA  
CORPORATION,

Respondent.

No. 70154

**FILED**

SEP 22 2016

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER DISMISSING APPEAL*

This is an appeal from an order denying a motion for summary judgment or partial summary judgment. Eighth Judicial District Court, Clark County; Mark R. Denton, Judge.

Respondent has filed a motion to dismiss the appeal for lack of jurisdiction on the ground that an order denying a motion for summary judgment or partial summary judgment is not final and is not an appealable order. Appellant counters that respondent's challenge goes to the merits of the appeal, which seeks this court's reconsideration of adoption of the collateral order doctrine, and is therefore not appropriate for a motion to dismiss. *See Taylor v. Barringer*, 75 Nev. 409, 344 P.2d 676 (1959). Respondent has filed a reply.

We grant the motion to dismiss. This court only has appellate jurisdiction when an appeal is authorized by statute or court rule. *See* NRAP 3A(b); *Taylor Constr. Co. v. Hilton Hotels Corp.*, 100 Nev. 207, 209, 678 P.2d 1152, 1153 (1984). We have consistently held that no appeal lies from an order denying a motion for summary judgment. *D.R. Horton, Inc. v. Dist. Ct.*, 125 Nev. 449, 454, 215 P.3d 697, 700 (2009) (*citing GES, Inc.*

*v. Corbitt*, 117 Nev. 265, 268, 21 P.3d 11, 13 (2001)). Accordingly, we conclude that we lack jurisdiction, and we

ORDER this appeal DISMISSED.

Cherry, J.  
Cherry

Douglas, J.  
Douglas

Gibbons, J.  
Gibbons

cc: Hon. Mark R. Denton, District Judge  
Lansford W. Levitt, Settlement Judge  
Marquis Aurbach Coffing  
Howard & Howard Attorneys PLLC  
Steven M. Garber & Associates, A Professional Corporation  
Gordon & Rees, LLP  
Eighth District Court Clerk