

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT LESLIE STOCKMEIER,
Appellant,
vs.
TRACEY D. GREEN, STATE HEALTH
OFFICER,
Respondent.

No. 73498

FILED

JUL 28 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a pro se appeal from an order denying appellant's motion to substitute a party and compel compliance with a writ of mandamus and a motion to amend the writ. First Judicial District Court, Carson City; James Todd Russell, Judge.

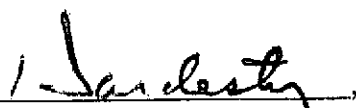
Our review of the documents before this court reveals a jurisdictional defect. It appears that the challenged order is not substantively appealable. See NRAP 3A(b)(1). The district court issued a writ of mandamus in 2015 pursuant to this court's order in *Stockmeier v. Green*, Docket No. 62327 (Order of Reversal and Remand, December 31, 2014). The district court closed the case on February 2, 2015. Appellant filed in that same case his "Motion for Issuance of Amended Writ of Mandamus" and his "Motion for Substitution of Party and to Compel Compliance with Writ" on June 6, 2016.


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). No statute or court rule permits an appeal from an order denying a motion to

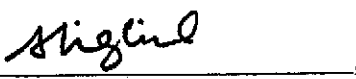
compel compliance with a previous order, or from a motion to amend or a motion to substitute a party.

NRAP 3A(b)(8) allows an appeal to be taken from a special order entered after a final judgment. To be appealable as a special order after final judgment, the order must affect the rights of some party to the action growing out of the judgment. *Gumm v. Mainor*, 118 Nev. 912, 920, 59 P.3d 1220, 1225 (2002). The order appealed in this case does not appear to be appealable as a special order after final judgment because it does not modify the rights or liabilities of the parties arising from the final judgment, but instead merely enforces the district court's prior order and denies any changes. See NRAP 3A(b)(2). We conclude that the order is not appealable, and we

ORDER this appeal DISMISSED.


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Stiglich

cc: Hon. James Todd Russell, District Judge
Robert Leslie Stockmeier
Attorney General/Carson City
Attorney General/Las Vegas
Carson City Clerk