

IN THE SUPREME COURT OF THE STATE OF NEVADA

SUSAN LEAVITT, F/K/A SUSAN
ABBATANGELO,

Appellant,

vs.

ANTHONY L. ABBATANGELO,

Respondent.

No. 72953

FILED

OCT 30 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DISMISSING APPEAL

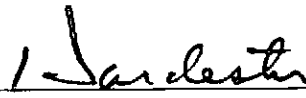
This is an appeal from an order imposing attorney fees and costs as sanctions in an amount to be determined for a finding of contempt, directing appellant to comply with previous court orders, and setting a hearing on a further contempt charge. Eighth Judicial District Court, Family Court Division, Clark County; Linda Marquis, Judge.


Our jurisdictional review indicated that the order was not appealable. No statute or court rule permits an appeal from an order holding a party in contempt or imposing attorney fees and costs as a sanction for contempt. In addition, the order appealed from directed further hearing on the amount of attorney fees and costs, and therefore appeared not to be final. This court issued an order to show cause directing appellant to demonstrate this court's jurisdiction.


In response, appellant has filed an amended notice of appeal from the district court's order finally imposing the attorney fees and costs in an amount certain. Finalizing the amount of attorney fees and costs does not solve the fundamental jurisdictional problem. No statute or court rule provides for an appeal from an order that solely concerns contempt, and attorney fees and costs imposed as a sanction for contempt are not

independently appealable. See *Pengilly v. Rancho Santa Fe Homeowners Ass'n*, 116 Nev. 646, 649, 5 P.3d 569, 671 (2000) (recognizing that a contempt order entered in an ancillary proceeding is not appealable); compare *Vaile v. Vaile*, 133 Nev., Adv. Op. 30, 396 P.3d 791, 794 (2017); and *Lewis v. Lewis*, 132 Nev., Adv. Op. 46, 373 P.3d 878, 881 (2016) (considering challenges to contempt findings and sanctions in an order that modified child custody).

We lack jurisdiction, and we therefore
ORDER this appeal DISMISSED.


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Stiglich

cc: Hon. Linda Marquis, District Judge, Family Court Division
Ara H. Shirinian, Settlement Judge
Law Offices of Kermitt L. Waters
The Jimmerson Law Firm, P.C
Eighth District Court Clerk