

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAFAYETTE DEAN BROOKS, A/K/A
DEAN BROOKS,

Appellant,

vs.

U.S. BANK TRUST, N.A., AS TRUSTEE
FOR LSF9 MASTER PARTICIPATION
TRUST,

Respondent.

No. 77130

FILED

DEC 20 2018

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

ORDER DISMISSING APPEAL

This is a pro se appeal from a district court order denying a motion to stay the proceedings below pending resolution of a related appeal. Fifth Judicial District Court, Nye County; Kimberly A. Wanker, Judge.

Our preliminary review of the docketing statement and the documents submitted to this court pursuant to NRAP 3(g) reveals a jurisdictional defect. Specifically, the order designated in the notice of appeal is not substantively appealable.¹ See NRAP 3A(b). This court has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule. *Taylor Constr. Co. v. Hilton Hotels*, 100 Nev. 207, 678 P.2d 1152 (1984). No statute or court rule authorizes an appeal from an order denying a motion for stay. See, e.g., *Brunzell Constr. Co. v. Harrah's Club*, 81 Nev. 414, 404 P.2d 902 (1965) (stating that an order granting or

¹Although appellant's motion is entitled "Request for Injunctive Relief," the district court treated the filing as a motion for stay and resolved it as such.

denying a stay of proceedings is not appealable). We lack jurisdiction over this appeal, and we

ORDER this appeal DISMISSED.²

Pickering, J.
Pickering

Gibbons J.
Gibbons

Hardesty, J.
Hardesty

cc: Hon. Kimberly A. Wanker, District Judge
Lafayette Dean Brooks
Ballard Spahr LLP/Las Vegas
Nye County Clerk

²Given this order, we take no action on the pro se letter filed November 2, 2018.