

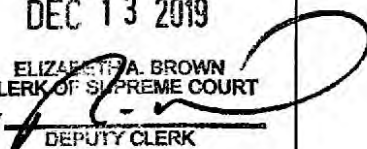
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JAMES DAVID ELDER,  
Appellant,  
vs.  
MARY ALTHEA ELDER,  
Respondent.

No. 77303-COA

**FILED**

DEC 13 2019

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER DISMISSING APPEAL*

James David Elder appeals from a post-divorce decree order of contempt. Eighth Judicial District Court, Clark County; Mathew Harter, Judge.

In the proceedings below, the parties were divorced by way of a stipulated decree of divorce entered in February 2018. Pursuant to the terms of the decree, as relevant here, James was to pay respondent Mary Elder \$1200.00 per month in alimony and the parties were to divide the proceeds from the sale of the marital residence. In September 2018, the district court set a hearing on an order to show cause why James should not be held in contempt for his failure to pay alimony pursuant to the terms of the decree. Following the hearing—where James was not present, but was represented by counsel—the district court held James in contempt and issued a bench warrant for his arrest. Additionally, the district court ordered that Mary would receive the entirety of the proceeds from the sale of the marital residence due to James' failure to satisfy his alimony obligations and reduced James' \$10,300.00 in arrears (\$10,547.67 with interest) to judgment. This appeal followed.

19-50577

On appeal, James challenges the district court's order holding him in contempt.<sup>1</sup> 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 Corp.*, 100 Nev. 207, 209, 678 P.2d 1152, 1153 (1984). And no statute or court rule provides for an appeal from a contempt order. See NRAP 3A(b) (enumerating the orders and judgments from which an appeal may be taken); *State, Div. of Child & Family Servs. v. Eighth Judicial Dist. Court*, 120 Nev. 445, 449-50, 92 P.3d 1239, 1242 (2004) (explaining that a contempt order is not appealable and the proper way for a party to challenge a contempt order is through a writ petition). Under these circumstances, we must conclude that the order appealed from is not independently appealable and we lack jurisdiction to consider this appeal. See *Taylor Constr. Co.*, 100 Nev. at 209, 678 P.2d at 1153. Accordingly, we

ORDER this appeal DISMISSED.

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Bulla

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<sup>1</sup>To the extent James challenges the terms of the stipulated divorce decree, notice of entry of which was served in February 2018, the time to appeal that final judgment has expired. See NRAP 4(a)(1) (providing that a notice of appeal must be filed within 30 days of the date notice of entry of the judgment is served).

cc: Hon. Mathew Harter, District Judge  
James David Elder  
Willick Law Group  
Eighth District Court Clerk