

IN THE SUPREME COURT OF THE STATE OF NEVADA

SHOSHONE-PAIUTE TRIBES OF THE DUCK VALLEY INDIAN RESERVATION,

No. 37383

Appellant,

FILED

vs.

MAY 07 2001

KLEINFELDER, INC., A CALIFORNIA CORPORATION,

MANETTE M. BLOOM
CLERK OF SUPREME COURT
J. Ruben
CHIEF DEPUTY CLERK

Respondent.

ORDER DISMISSING APPEAL

This is a proper person appeal from an order of the district court denying appellant's motion to dismiss a complaint for lack of jurisdiction. As an order denying a motion to dismiss is not substantively appealable, we conclude that we lack jurisdiction to consider this appeal.¹ Accordingly, we

ORDER this appeal DISMISSED.²

Young J.
Young
Leavitt J.
Leavitt
Becker J.
Becker

¹See Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984) (ruling that no appeal may be taken from an order denying summary judgment); Kokkos v. Tsalikis, 91 Nev. 24, 530 P.2d 756 (1975) (noting that if no statute or rule provides for an appeal, then no right to appeal exists); NRAP 3A(b) (designating orders and judgments from which an appeal may be taken).

²We note that another jurisdictional defect may exist. Specifically, it appears that appellant's chairman may not be permitted to represent appellant in state court litigation. See Guerin v. Guerin, 116 Nev. 210, 993 P.2d 1256 (2000); Sunde v. Contel of California, 112 Nev. 541, 915 P.2d 298 (1996); Salman v. Newell, 110 Nev. 1333, 885 P.2d 607 (1994); NRS 7.285; SCR 77.

cc: Hon. J. Michael Memeo, District Judge
Shoshone-Paiute Tribes of the Duck Valley Indian
Reservation
Mark H. Gunderson, Ltd.
Elko County Clerk