

IN THE SUPREME COURT OF THE STATE OF NEVADA

LEVERTY & ASSOCIATES LAW,
CHTD.,

Appellant,

vs.


RAY WARREN EXLEY, AN
INDIVIDUAL,

Respondent.

No. 80844

FILED

JUL 16 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from an order denying a motion for an order to show cause why respondent should not be held in contempt. Ninth Judicial District Court, Douglas County; Thomas W. Gregory, Judge.

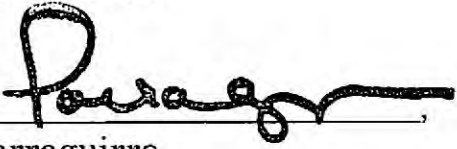
Because it appeared that the order appealed from is not substantively appealable, this court directed appellant to show cause why the appeal should not be dismissed for lack of jurisdiction. *See Pengilly v. Rancho Santa Fe Homeowners Ass'n*, 116 Nev. 646, 649, 5 P.3d 569, 671 (2000) (recognizing that a contempt order entered in an ancillary proceeding is not appealable); NRAP 3A(b). Appellant has responded and explains that it represented respondent as counsel in the proceedings below and is seeking to enforce its attorney lien, and argues that the contempt order effectively terminated the case and serves as a final judgment. NRAP 3A.¹

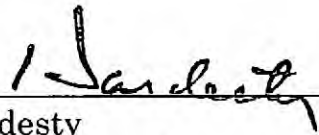
Appellant's argument fails. As is well-established, this court has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule. *Taylor Constr. Co. v. Hilton Hotels*, 100 Nev. 207,


¹Pursuant to the notice of appearance, the clerk shall add Kirk Nevada Walker of Nevada Walker, PLLC, to this court's docket as counsel for respondent. The clerk shall strike respondent's untimely reply to appellant's response to the order to show cause, filed on June 24, 2020.

678 P.2d 1152 (1984). No statute or court rule provides for an appeal from an order that solely concerns contempt. See *Van Cleave v. Osborne, Jenkins & Gamboa*, 108 Nev. 885, 840 P.2d 589 (1992) (permitting appeal by party from order adjudicating attorney's lien); *Albert D. Massi, Ltd. v. Bellmyre*, 111 Nev. 1520, 908 P.2d 705 (1995) (concluding that appellant attorney, who was not a party to the action below, had no standing to appeal the order determining his liens, and that his proper recourse was through a petition for extraordinary writ). Accordingly, this court lacks jurisdiction and

ORDERS this appeal DISMISSED.


_____, J.
Parraguirre


_____, J.
Hardesty


_____, J.
Cadish

cc: Hon. Thomas W. Gregory, District Judge
David Wasick, Settlement Judge
Leverty & Associates Law, Chtd.
Nevada Walker, PLLC
Ray Warren Exley
Douglas County Clerk