

IN THE SUPREME COURT OF THE STATE OF NEVADA

NATIONAL CREDIT CENTER, LLC,
Appellant,
vs.
IAD AUTO, INC., D/B/A IAD AUTO,
INC.,
Respondent.

No. 81805

FILED

MAR 18 2021

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

ORDER DISMISSING APPEAL


This is an appeal from a district court order granting a motion to compel arbitration. Eighth Judicial District Court, Clark County; Mary Kay Holthus, Judge.

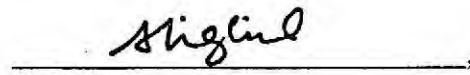
Because no statute or court rule authorizes an appeal from an order granting a motion to compel arbitration, this court directed appellant to show cause why the appeal should not be dismissed for lack of jurisdiction. *See Kindred v. Second Judicial Dist. Court*, 116 Nev. 405, 996 P.2d 903 (2000) (indicating that an order granting a motion to compel arbitration is not appealable). Appellant has responded and argues that the district court's order is essentially a final judgment because the district court erroneously relied on a prior, superseded contract and a fundamental issue before the court was whether the contract itself provided for arbitration. Respondent has filed a reply.

Nevada's arbitration act, allows interlocutory appeals from orders denying motions to compel arbitration, but does not provide for an interlocutory appeal of an order compelling arbitration. *See* NRS 38.247. The reasoning is that a party may appeal from an order confirming an award or other final judgment. "[I]f at the very threshold of the proceeding the defaulting party could appeal and thereby indefinitely delay the matter of arbitration, the object of the law [favoring arbitration] and the purpose of

the written agreement of the parties would be entirely defeated.” *Tallman v. Eighth Jud. Dist. Ct.*, 131 Nev. 713, 718, 359 P.3d 113, 117 (2015) (quoting *Clark Cnty. v. Empire Elec., Inc.*, 96 Nev. 18, 20, 604 P.2d 352, 353 (1980) (internal quotations omitted)). Appellant has not demonstrated that this court should depart from its established analysis. Accordingly this court

ORDERS this appeal DISMISSED.

 J.
Parraguirre

 J.
Stiglich

 J.
Silver

cc: Hon. Mary Kay Holthus, District Judge
Persi J. Mishel, Settlement Judge
Olson, Cannon, Gormley, & Stoberski
McDonald Carano LLP/Reno
McDonald Carano LLP/Las Vegas
Law Office of Hayes & Welsh
Eighth District Court Clerk