

IN THE SUPREME COURT OF THE STATE OF NEVADA

NAJEEB RAHMAN,

Appellant,

vs.

SUN-BRERO TRAVEL SERVICES, INC., A
NEVADA CORPORATION,¹

Respondent.

No. 37605

FILED

AUG 08 2001

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Rehak*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order denying a motion for reconsideration of an order granting summary judgment. On April 4, 2001, respondent filed a motion to dismiss the appeal on jurisdictional grounds. On April 12, 2001, appellant filed his opposition. Also before the court is appellant's counsel's June 14, 2001 motion to withdraw as counsel and for a stay.

This court has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule.² There is no such authorization for an appeal from an order denying reconsideration.³ Although NRAP 3A(b)(2) permits a party to appeal from a "special order made after final judgment," an order denying reconsideration does not qualify.⁴ And to the extent appellant seeks to appeal from the order

¹We direct the clerk to amend the caption on this court's docket to conform to the caption on this order.

²Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984); Kokkos v. Tsalikis, 91 Nev. 24, 530 P.2d 756 (1975).

³Alvis v. State, Gaming Control Bd., 99 Nev. 184, 660 P.2d 980 (1983).

⁴Alvis, 99 Nev. at 186, 660 P.2d at 981.

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granting summary judgment, his notice of appeal is untimely.⁵
Thus, we lack jurisdiction over this appeal.

Accordingly, we grant respondent's motion to dismiss, and order the appeal dismissed. We further deny as moot the motion to withdraw and for a stay.


It is so ORDERED.



Young J.



Leavitt J.



Becker J.

cc: Hon. Nancy M. Saitta, District Judge
Lester H. Berkson, Settlement Judge
Law Offices of Barry Levinson
Thomas J. Tanksley
Clark County Clerk

⁵See NRAP 4(a)(1) (providing that a notice of appeal must be filed within thirty days "after the date of service of written notice of the entry of the judgment or order appealed from"); Alvis, 99 Nev. at 186, 660 P.2d at 981 (stating that "a motion for rehearing does not toll the time in which a notice of appeal may be filed").