

IN THE SUPREME COURT OF THE STATE OF NEVADA

ERIC THOMAS MESI, AN
INDIVIDUAL,

Appellant,

vs.

PENNYMAC LOAN SERVICES, LLC,
Respondent.

No. 83611

FILED

JAN 06 2022

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

ORDER DISMISSING APPEAL

This is a pro se appeal from a district court order declaring appellant a vexatious litigant and dismissing his verified complaint for unlawful detainer as rogue, improper, and frivolous. Eighth Judicial District Court, Clark County; Crystal Eller, Judge.

Review of the documents before this court reveals a jurisdictional defect. The underlying matter was commenced when respondent filed a complaint against appellant. That matter is still being litigated below. Thus, it does not appear that the challenged order is appealable as a final judgment under NRAP 3A(b)(1) because respondent's claims remain pending in the district court. *See Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000) (defining a final judgment as "one that disposes of all the issues presented in the case, and leaves nothing for the future consideration of the court, except for post-judgment issues such as attorney's fees and costs"). It also does not appear that any other statute or court rule provides for an appeal from the challenged order. *See Brown v. MHC Stagecoach, LLC*, 129 Nev. 343, 345, 301 P.3d 850, 851 (2013) (this court "may only consider appeals authorized by statute or court rule"); *Peck v. Crouser*, 129 Nev. 120, 295 P.3d 586 (2013) (providing that vexatious

litigant orders are not independently appealable); *Consol. Generator-Nev., Inc. v. Cummins Engine Co.* 114 Nev. 1304, 1312, 971 P.2d 1251, 1256 (1998) (providing that interlocutory orders are not independently appealable). This court lacks jurisdiction and

ORDERS this appeal DISMISSED.

Hardesty, J.
Hardesty

Stiglich, J.
Stiglich

Herndon, J.
Herndon

cc: Hon. Crystal Eller, District Judge
Eric Thomas Mesi
Akerman LLP/Las Vegas
Eighth District Court Clerk