IN THE SUPREME COURT OF THE STATE OF NEVADA

RONALD LAWRENCE FINGER, INDIVIDUALLY AND D/B/A TCB NOW; TCB NOW GRAVEL PIT; AND SHARON R. FINGER,
Appellants,
vs.
LOIS WILLIAMS; RONALD WILLIAMS; ANTHONY WILLIAMS; JEFF WILLIAMS AND SHANE WILLIAMS,
Respondents.

No. 37987

FILED
JUN 26 2002
JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY [signature]
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from an April 10, 2001 order denying appellants' "motion for relief [from the] judgment or [from the] order granting a new trial." Our preliminary review of the docketing statement and the documents submitted to this court pursuant to NRAP 3(e) in this appeal, as well as the briefs and appendices in a related appeal (Docket No. 37561), revealed a jurisdictional defect. Specifically, it appeared that the April 10, 2001 order designated in the notice of appeal is not substantively appealable.[1] Consequently, on April 25, 2002, we ordered appellants to show cause why this appeal should not be dismissed for lack of jurisdiction.

In response, appellants contend that the district court's April 2, 2001 minute order denying their "motion for relief of a judgment or order granting a new trial" is an appealable special order made after final judgment pursuant to NRAP 3A(b) and Alvis v. State, Gaming Control

[1]See Alvis v. State, Gaming Control Bd., 99 Nev. 184, 660 P.2d 980 (1983) (holding that no appeal is permitted from an order denying rehearing or reconsideration).

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Board.[2] We disagree. A minute order is ineffective for any purpose and cannot be appealed.[3] Furthermore, in contrast to the April 2, 2001 minute order, the district court's April 10, 2001 written order summarily denied appellants "motion for relief of a judgment or order granting a new trial" without elaboration or explanation.

In their response, appellants also assert that NRS 50.065(2)[4] deprived them of "their constitutional right to due process" by precluding them from having the district court consider post-verdict juror affidavits. Given that this conclusory assertion is unsupported by citations to legal authority, we need not address it.[5]

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[2]Id.

[3]See Rust v. Clark Cty. School District, 103 Nev. 686, 689, 747 P.2d 1380, 1382 (1987).

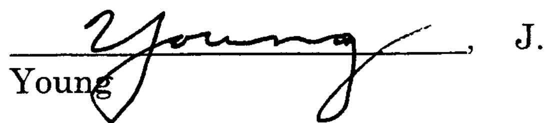
[4]NRS 50.065(2) reads:

> Upon an inquiry into the validity of a verdict or indictment:
>
> (a) A juror shall not testify concerning the effect of anything upon his or any other juror's mind or emotions as influencing him to assent to or dissent from the verdict or indictment or concerning his mental processes in connection therewith.
>
> (b) The affidavit or evidence of any statement by a juror indicating an effect of this kind is inadmissible for any purpose.

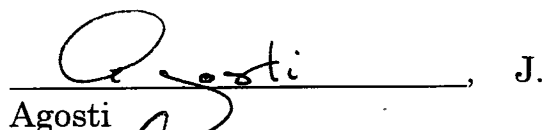
[5]Cf. Consolidated Generator v. Cummins Engine, 114 Nev. 1304, 1311, 971 P.2d 1251, 1256 (1998) (refusing to consider conclusory argument that was unsupported by authority).

As neither the April 2, 2001 minute order nor the April 10, 2001 written order is appealable, we lack jurisdiction to entertain this appeal, and we

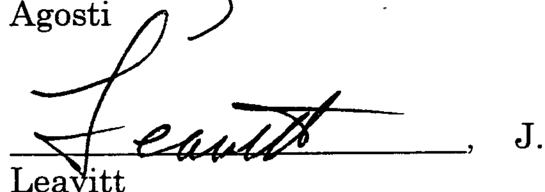
ORDER this appeal DISMISSED.[6]



Young, J.



Agosti, J.



Leavitt, J.

cc: Hon. Michael A. Cherry, District Judge
Brice Buehler, Settlement Judge
Alverson Taylor Mortensen Nelson & Sanders
Burris & Thomas
Fred W. Kennedy
Clark County Clerk

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[6]See Rust, 103 Nev. at 689, 747 P.2d at 1382 (stating that an appeal is not permitted from a minute order); Alvis, 99 Nev. 184, 660 P.2d 980 (holding that no appeal is permitted from an order denying rehearing or reconsideration); see also Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984) (stating that this court has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule).

We deny as moot appellants' motion to consolidate Docket Nos. 37561 and 37987.