

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE
GUARDIANSHIP OF MARGARET
KATZIN, AN ADULT WARD.

No. 38155

FILED

AUG 27 2003

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

DAVID KATZIN,

Appellant,

vs.

MICHAEL KATZIN AND ROBERT

KATZIN,

Respondents.

ORDER DISMISSING APPEAL

This is an appeal from a district court order denying a petition for clarification of prior court orders in a guardianship proceeding. Respondents have moved to dismiss the appeal for lack of jurisdiction. Having considered the motion to dismiss, opposition, and reply, we conclude that we lack jurisdiction over the appeal because the order is unappealable. No statute or court rule provides for an appeal of the order.¹ The order does not constitute a final judgment because it did not terminate the guardianship proceeding.² Rather, the district court took under submission the consideration of whether the guardianship case should be dismissed. The court stated that it might be inclined to dismiss the case if a guardian ad litem was appointed in a related case concerning the nontestamentary trust of the ward. Moreover, the guardianship


¹See Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984).


²See NRAP 3A(b)(1) (providing that an appeal may be taken from a final judgment in an action or proceeding).

statutes contained in NRS chapter 159 provide no independent basis for an appeal from the order at issue. There is no statute allowing an appeal from an order denying a petition to clarify prior court orders in a guardianship case. Accordingly, as we lack jurisdiction, we grant respondents' motion and dismiss this appeal.³

It is so ORDERED.


_____, J.
Shearing


_____, J.
Leavitt


_____, J.
Becker

cc: Hon. William O. Voy, District Judge, Family Court Division
Persi J. Mishel, Settlement Judge
Beckley Singleton, Chtd./Las Vegas
Lionel Sawyer & Collins/Las Vegas
Jack H. Fields
Clark County Clerk

³We note that appellant has filed an original writ petition challenging the district court's order (Docket No. 40301), which is currently pending.