

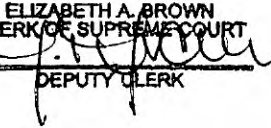
IN THE SUPREME COURT OF THE STATE OF NEVADA

VENANCIO BANAGA BAISA, AN
INDIVIDUAL,
Appellant,
vs.
ESTATE OF THOMAS JOSEPH SMITH,
BY AND THROUGH ITS SPECIAL
ADMINISTRATORS M. SMITH
BANFIELD AND SHERYL BELL; M.
SMITH BANFIELD, AN INDIVIDUAL;
THOMAS SMITH, AN INDIVIDUAL;
AND PATRICK SMITH, AN
INDIVIDUAL,
Respondents.

No. 88600

FILED

AUG 30 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order denying a motion to enforce a settlement agreement. Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.

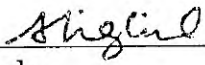
Respondents have filed a motion to dismiss this appeal for lack of jurisdiction, pointing out that the order is not substantively appealable and seeking sanctions. Appellant has not opposed the motion.

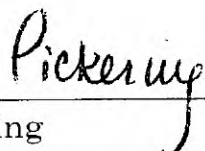
This court has jurisdiction to consider an appeal only when authorized by statute or court rule. *Taylor Constr. Co. v. Hilton Hotels Corp.*, 100 Nev. 207, 209, 678 P.2d 1152, 1153 (1984). No statute or court rule authorizes an appeal from an order denying a motion to enforce a settlement agreement. And although appellant's docketing statement indicates that the order is appealable as a final judgment under NRAP 3A(b)(1), "a final judgment is 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." *Lee v. GNLV Corp.*, 116 Nev. 424, 426, 427, 996 P.2d 416, 417, 418 (2000)

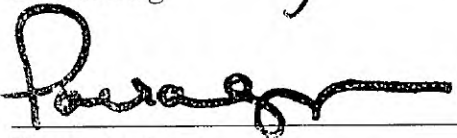
(explaining that and that the final judgment rule promotes judicial economy by avoiding piecemeal review). The order here, as appellant also indicates in the docketing statement, does not resolve all of the issues in the case. Accordingly, we lack jurisdiction and, granting respondents' motion, we order this appeal dismissed.

Respondents' unopposed request for NRAP 14(c) and NRAP 38 sanctions is granted, as appellant failed to fully complete the docketing statement's questions 25 and 26 pertaining to finality and maintained a frivolous appeal, causing respondents to file this motion to dismiss after the settlement program concluded. Appellant shall pay respondents \$500 toward their attorney fees and costs and provide this court with proof of the sanction's payment within 30 days from this order's date.

It is so ORDERED.


_____, J.
Stiglich


_____, J.
Pickering


_____, J.
Parraguirre

cc: Hon. Kathleen E. Delaney, District Judge
Stephen E. Haberfeld, Settlement Judge
Pyatt Silvestri
Price Beckstrom, PLLC
Supreme Court Law Librarian
Eighth District Court Clerk