

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALEXANDER ANTAFIEV, IN HIS
CAPACITY AS TRUSTEE FOR THE
SVARGA IRREVOCABLE TRUST,
Appellant,
vs.
IGNITE FUNDING LLC,
Respondent.

No. 88838

FILED

SEP 30 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: 
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from an interlocutory district court order cancelling notices of lis pendens pursuant to NRS 14.015. Eighth Judicial District Court, Clark County; Michael Villani, Judge.

When initial review of the docketing statement and documents before this court revealed a potential jurisdictional defect, this court ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. Specifically, appellant asserted in his docketing statement that the order was appealable pursuant to NRAP 3A(b)(1), the collateral order doctrine, and constitutional due process. But it did not appear the order was appealable on any of these bases.

In response, appellant abandons his contentions that the order is appealable pursuant to NRAP 3A(b)(1) and due process. He argues the order is appealable as an injunction under NRAP 3A(b)(3) and under the collateral order doctrine. Respondent has replied.

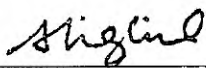
NRCP 65 governs the issuance of injunctions in Nevada, specifying both the procedure to seek an injunction and the form of an order granting an injunction. *Peck v. Crouser*, 129 Nev. 120, 124, 295 P.3d 586, 588 (2013). An order cancelling a lis pendens is not subject to the provisions of NRCP 65 and is not an injunction appealable under NRAP 3A(b)(3). *Cf.*

2430445

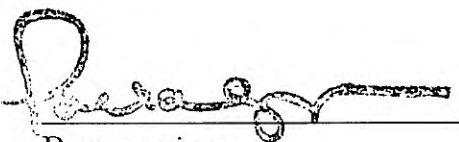
id. Further, this court has expressly rejected the collateral order doctrine, *State, Taxicab Auth. v. Greenspun*, 109 Nev. 1022, 1025, 862 P.2d 423, 425 (1993), and we decline appellant’s invitation to specially allow appeals from orders cancelling lis pendens under that doctrine.

This court “may only consider appeals authorized by statute or court rule.” *Brown v. MHC Stagecoach, LLC*, 129 Nev. 343, 345, 301 P.3d 850, 851 (2013). Appellant fails to demonstrate that the order challenged in this appeal is substantively appealable. *See Moran v. Bonneville Square Assocs.*, 117 Nev. 525, 527, 25 P.3d 898, 899 (2001) (“[T]he burden rests squarely upon the shoulders of a party seeking to invoke our jurisdiction to establish, to our satisfaction, that this court does in fact have jurisdiction.”); *see also Zhang v. Eighth Jud. Dist. Ct.*, 120 Nev. 1037, 1039, 103 P.3d 20, 22 (2004), *abrogated on other grounds by Buzz Stew, LLC v. City of N. Las Vegas*, 124 Nev. 224, 181 P.3d 670 (2008), (indicating that an order expunging a notice of lis pendens is not independently appealable). Accordingly, we lack jurisdiction and

ORDER this appeal DISMISSED.


_____, J.
Stiglich


_____, J.
Pickering


_____, J.
Parraguirre

cc: Hon. Michael Villani, District Judge
Dana Jonathon Nitz, Settlement Judge
Riggi Law Firm
Allison Law Firm, Chtd.
Eighth District Court Clerk