


IN THE SUPREME COURT OF THE STATE OF NEVADA

R.J. REYNOLDS TOBACCO COMPANY,
A FOREIGN CORPORATION,
INDIVIDUALLY, AND AS
SUCCESSOR-BY-MERGER TO
LORILLARD TOBACCO COMPANY
AND AS SUCCESSOR-IN-INTEREST
TO THE UNITED STATES TOBACCO
BUSINESS OF BROWN &
WILLIAMSON TOBACCO
CORPORATION, WHICH IS THE
SUCCESSOR-BY-MERGER TO THE
AMERICAN TOBACCO COMPANY,
Appellant,
vs.
TIMOTHY A. GEIST, INDIVIDUALLY,
AND AS ADMINISTRATOR AND
PERSONAL REPRESENTATIVE OF
THE ESTATE OF VERNA LEE GEIST,
Respondent.

No. 89135

FILED

NOV 18 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER GRANTING MOTION AND DISMISSING APPEAL


This appeal arises from a district court prejudgment sanctions order. Eighth Judicial District Court, Clark County; Ronald J. Israel, Judge. Respondent has filed a renewed motion to dismiss the appeal for lack of jurisdiction. Appellant has opposed the motion, and respondent has filed a reply.

No statute or court rule authorizes an appeal from an interlocutory district court order imposing sanctions. *See generally Brown v. MHC Stagecoach*, 129 Nev. 343, 345, 301 P.3d 850, 851 (2010) (recognizing that this court “may only consider appeals authorized by statute or court rule”). Although appellant specifies NRS 15.040 (providing that when the district court enters an order requiring payment, “it may be enforced by execution in the same manner as if it were a judgment”) and


Mona v. Eighth Judicial District Court, 132 Nev. 719, 724, 380 P.3d 836, 840 (2016), as the bases for its appeal from the sanctions order, those authorities do not provide for an appeal from an interlocutory sanctions order.

This court's opinion in *Mona* appears to say the opposite, stating that "[a] sanctions order is final and appealable." *Id.* Standing alone, this statement suggests appellant had an immediate right of interlocutory appeal from the sanctions order. However, when considered in context, *Mona* is distinguishable. The sanctions order in *Mona* arose post-judgment and involved a collection effort against a non-party, who may not appeal and must instead seek writ relief. The decision's statement respecting the appealability of sanctions orders generally thus was dictum and does not alter the general rule that, where there is no final judgment and no court rule or statute otherwise authorizing the appeal, this court lacks jurisdiction to review interlocutory orders imposing sanctions against a party to the case. *See Taylor Constr. Co. v. Hilton Hotels*, 100 Nev. 207, 678 P.2d 1152 (1984); *Bahena v. Goodyear Tire & Rubber Co.*, 126 Nev. 243, 245-46, 235 P.3d 592, 594 (2010) (exemplifying that an interlocutory order imposing sanctions may be challenged in the context of an appeal from a final judgment, per *Consolidated Generator v. Cummins Engine Co.*, 114 Nev. 1304, 1312, 971 P.2d 1251, 1256 (1998)). Accordingly, we grant the renewed motion to dismiss and

ORDER this appeal DISMISSED.


_____, J.
Herndon


_____, J.
Lee


_____, J.
Bell

cc: Hon. Ronald J. Israel, District Judge
Lansford W. Levitt, Settlement Judge
Bailey Kennedy
King & Spalding LLP/Atlanta
King & Spalding LLP/Miami
The Alvarez Law Firm
Claggett & Sykes Law Firm
Eighth District Court Clerk