

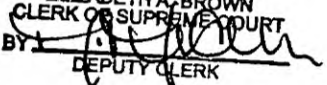
IN THE SUPREME COURT OF THE STATE OF NEVADA

CITY OF LAS VEGAS; AND CCMSI,  
Appellants,  
vs.  
MARCLAY RICHARDSON,  
Respondent.

No. 89046

**FILED**

NOV 22 2024

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

*ORDER DISMISSING APPEAL*

This is an appeal from a district court order granting a petition for judicial review in a workers' compensation matter and remanding for further proceedings. Eighth Judicial District Court, Clark County; Anna C. Albertson, Judge.

When initial review of the docketing statement and documents before this court revealed a potential jurisdictional defect, this court ordered appellants to show cause why this appeal should not be dismissed for lack of jurisdiction. In particular, it was not clear that the challenged order is appealable as a final judgment under NRAP 3A(b)(1) and NRS 233B.150 where it remands to the appeals officer for the purpose of evaluating whether respondent is entitled to the additional percentage of impairment claimed. It also appeared that no other statute or court rule authorizes an appeal from the challenged order. *See Brown v. MHC Stagecoach, LLC*, 129 Nev. 343, 345, 301 P.3d 850, 851 (2013) (this court "may only consider appeals authorized by statute or court rule").

In response, appellants recognize that the district court remanded the matter to evaluate the additional impairment claimed, but contend it is unclear what "evaluate" means in this context. They point out that the district court's order reverses the appeals officer's decision and

concludes she erred in her legal conclusion. Such an order, appellants contend, “is the definition of a final order.” Appellants additionally assert the order is final because there is no further remedy for them. Lastly, appellants state this appeal raises an important issue that needs clarification from this court.

We conclude appellants fail to demonstrate that the challenged order is appealable as a final judgment under NRAP 3A(b)(1) and NRS 233B.150. 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.”). “[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, 996 P.2d 416, 417 (2000). The order on appeal concludes that respondent’s claim to an additional percentage of impairment was permitted to proceed despite respondent’s election to receive payment for the undisputed portion, and remands for the purpose of evaluating whether respondent is entitled to the additional impairment claimed. This order does not finally resolve respondent’s impairment claim and is therefore not appealable as a final judgment. See *Ayala v. Caesars Palace*, 119 Nev. 232, 235, 71 P.3d 490, 492 (2003), *overruled on other grounds by Five Star Capital Corp. v. Ruby*, 124 Nev. 1048, 194 P.3d 709 (2008), (explaining that, “[a]s a general rule, an order by a district court remanding a matter to an administrative agency is not an appealable order unless the order constitutes a final judgment”); *State Taxicab Auth. v. Greenspun*, 109 Nev. 1022, 1025, 862 P.2d 423, 425 (1993) (concluding that an order of remand was not a final judgment where

the order directed the Taxicab Authority to review evidence it initially refused to consider).

Appellants do not assert, and it does not appear, that any other statute or court rule authorizes an appeal from the challenged order. Accordingly, we lack jurisdiction and

ORDER this appeal DISMISSED.

Stiglich, J.  
Stiglich

Pickering, J.  
Pickering

Parraguirre, J.  
Parraguirre

cc: Hon. Anna C. Albertson, Judge  
Janet Trost, Settlement Judge  
Hooks Meng & Clement  
GGRM Law Firm  
Eighth District Court Clerk