


IN THE SUPREME COURT OF THE STATE OF NEVADA

DESERT HARVEST FUNDING, LLC, A  
NEVADA LIMITED LIABILITY  
COMPANY,  
Appellant,  
vs.  
CONNIE R. GOLDEN,  
Respondent.

No. 88346

**FILED**

APR 01 2025

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DISMISSING APPEAL*

This is an appeal from two district court orders in a breach of contract action.<sup>1</sup> Eighth Judicial District Court, Clark County; Tierra Danielle Jones, Judge; Eighth Judicial District Court, Clark County; Maria A. Gall, Judge.

The first challenged order, entered on February 22, 2024, denies appellant's motion for relief from a December 18, 2023, order under NRCP 60(b). The second order, entered on February 26, 2024, enters judgment for respondent on her claims against appellant. When initial review of the docketing statement and documents before this court revealed a potential jurisdictional defect, this court directed appellant to show cause why this appeal should not be dismissed. In particular, the challenged orders did not appear appealable as final judgments under NRAP 3A(b)(1) as asserted in appellant's docketing statement. This court also noted that while a post-judgment order denying relief under NRCP 60(b) is appealable as a special order after final judgment under NRAP 3A(b)(8), the February

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<sup>1</sup>Former appellant Rone Chang appealed from a third district court order. However, Chang's appeal was dismissed due to the filing of a bankruptcy petition. The third district court order was not appealed by appellant and thus is no longer the subject of this appeal.

22, 2024, order challenged here is not a post-judgment order. Therefore, it is not appealable under NRAP 3A(b)(8).

In response, appellant asserts, without any argument or citation to authority, that the February 22 order is appealable under NRAP 3A(b)(8). NRAP 3A(b)(8) allows appeals from special orders after final judgment, including post-judgment orders denying relief under NRCP 60(b). Appellant concedes that no final judgment has been entered in the underlying action. In the absence of a final judgment, there can be no special order after final judgment. Thus, appellant's contention that the February 22 order is appealable under NRAP 3A(b)(8) lacks merit.

Appellant agrees that the February 26 order is not appealable as a final judgment. And appellant does not offer any other basis for appealability for the February 22 and 26 orders. *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.”). Accordingly, this court lacks jurisdiction, *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”), and we

ORDER this appeal DISMISSED.

Pickering, J.  
Pickering

Cadish, J.  
Cadish

Lee, J.  
Lee

cc: Hon. Maria A. Gall, District Judge  
Hon. Tierra Danielle Jones, District Judge  
Stephen E. Haberfeld, Settlement Judge  
Hong & Hong  
T. James Truman & Associates  
Eighth District Court Clerk

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