

IN THE SUPREME COURT OF THE STATE OF NEVADA


ALEXANDRIA GOMEZ, AN  
INDIVIDUAL,  
Appellant,  
vs.

CLAUDIA MORAYMA DEL HOYO, AS  
SPECIAL ADMINISTRATOR FOR THE  
ESTATE OF VICTOR MANUEL  
AGUILERA, AN INDIVIDUAL;  
PRIMO'S AUTO REPAIR L.L.C., A  
DOMESTIC LIMITED LIABILITY  
COMPANY; AND GEICO ADVANTAGE  
INSURANCE COMPANY,  
Respondents.

No. 89454

**FILED**

APR 01 2025

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DISMISSING APPEAL*

This is an appeal from a district court order denying appellant's motion to enforce settlement, certified as final under NRCP 54(b). Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.

A preliminary review of the documents before this court revealed a potential jurisdictional defect and this court issued an order to show cause on January 10, 2025. In response, appellant contends that because the district court permitted respondent Geico Advantage Insurance Company ("Geico") to intervene, they are a party to the lawsuit, and the NRCP 54(b) order finally resolves "claims, rights, and liabilities involving Geico." Geico, in reply, argues that it only intervened for the limited purpose of opposing appellant's motion to enforce settlement. Geico notes that the NRCP 54(b) order "does not resolve any claims against [it] because there are no claims brought by or against [it] in this case." We agree with Geico.

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). Importantly, no statute or court rule authorizes an appeal from an interlocutory order denying a motion to enforce a settlement agreement. *See Baisa v. Estate of Smith*, Docket No. 88600, 2024 WL 4010115 (Order Dismissing Appeal August 30, 2024). And contrary to appellant's assertion otherwise, the appealed order does not resolve any claims brought by or against Geico in the underlying matter. Thus, the order is not appealable as a final judgment. NRAP 3A(b)(1); *Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000) (explaining that "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").

And while the district court certified the order as final under NRCP 54(b), such certification is available only when an order resolves some of multiple claims or all of the claims by and against a particular party. *See Taylor Const.*, 100 Nev. at 209, 678 P.2d at 1153. The appealed order does neither, and thus the NRCP 54(b) certification appears to have been improvidently granted. *Id.* ("The district court, through such certification, cannot create finality when the order is not amenable to certification."). Accordingly, this court lacks jurisdiction, and we

ORDER this appeal DISMISSED.

Pickering, J.  
Pickering

Cadish, J.  
Cadish

Lee, J.  
Lee

cc: Hon. Kathleen E. Delaney, District Judge  
Thomas J. Tanksley, Settlement Judge  
Claggett & Sykes Law Firm  
Maier Gutierrez & Associates  
Womble Bond Dickinson (US) LLP/Las Vegas  
Pyatt Silvestri  
Emerson Law Group  
Messner Reeves LLP  
Eighth District Court Clerk