

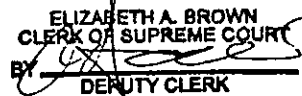
IN THE SUPREME COURT OF THE STATE OF NEVADA

SAAD JAFRI,
Appellant,
vs.
ASHLEY WYNN,
Respondent.

No. 90649

FILED

NOV 12 2025

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a post-judgment district court order finding appellant in contempt, sanctioning appellant for that contempt, and awarding respondent attorney fees and costs in connection with the contempt proceedings and post-judgment motions seeking enforcement of the prior orders. Eighth Judicial District Court, Family Division, Clark County; Dedree Butler, Judge.

It was not clear from review of the docketing statement whether the challenged order was appealable. In particular, the order did not appear appealable as a final judgment under NRAP 3A(b)(1) as asserted by appellant because a final judgment was already entered in this matter. Neither was the order clearly appealable as a special order after final judgment pursuant to NRAP 3A(b)(8). Accordingly, this court ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. Appellant has now filed a response and respondent has replied.

Appellant maintains his assertion that the challenged order is appealable as a final judgment. Appellant concedes that a final judgment was entered in this matter on February 6, 2020. Relying on *Lewis v. Lewis*, 132 Nev. 453, 373 P.3d 878 (2016), however, he contends that "Nevada recognizes . . . successive final judgments may arise in post-decree

proceedings.” Appellant further appears to contend that the order is a final judgment under *Lewis and Dang v. Eighth Judicial Dist. Ct.*, 136 Nev. 41, 46, 459 P.3d 864, 869 (2020), because it imposes criminal contempt sanctions. These contentions lack merit.

This court has repeatedly recognized that there can be only one final judgment in an action or proceeding, *e.g.*, *Frank Settelmeyer & Sons, Inc. v. Smith & Harmer, Ltd.*, 124 Nev. 1206, 1214 n.19, 197 P.3d 1051, 1057 n.19 (2008); *Alper v. Posin*, 77 Nev. 328, 331, 363 P.2d 502, 503 (1961), *overruled on other grounds by Lee v. GNLV Corp.*, 116 Nev. 424, 996 P.2d 416 (2000); *Messing v. Cunning*, No. 89716, 2025 WL 769653 (Nev. Mar. 10, 2025) (Order Dismissing Appeal); *Monahan v. Hogan*, No.78489, 2019 WL 4196582 (Nev. Sept. 4, 2019) (Order Dismissing Appeal), and that contempt orders are not independently appealable, *e.g.*, *Pengilly v. Rancho Santa Fe Homeowners Ass’n*, 116 Nev. 646, 649, 5 P.3d 569, 571 (2000); *Vaile v. Vaile*, 133 Nev. 213, 217, 396 P.3d 791, 794-95 (2017).

Appellant’s citation to *Lewis* for the proposition that there can be multiple final judgments in custody matters is unsupported by any argument. *Lewis* does not discuss jurisdiction, appealability, or even mention a final judgment. Further, as pointed out by respondent and conceded by appellant in his errata, *Dang v. Eighth Judicial Dist. Ct.* is not a correct citation—no such opinion appears to exist.

Appellant also contends that the attorney fee award is appealable as a special order after final judgment. Appellant seems to assert that all post-judgment orders awarding attorney fees are appealable under NRAP 3A(b)(8). We disagree.

A post-judgment order awarding or declining to award attorney fees and costs is appealable if it is a special order after final judgment.

NRAP 3A(b)(8). To qualify as a special order after final judgment, a post-judgment order must affect the rights of a party arising from the final judgment. *Winston Prods. Co. v. DeBoer*, 122 Nev. 517, 525, 134 P.3d 726, 731 (2006). Consistent with this rule, this court routinely allows appeals from orders resolving motions for attorney fees and costs when the orders award or decline to award fees and costs relating to the final judgment. *See, e.g., Smith v. Crown Fin. Servs. of Am.*, 111 Nev. 277, 280 n.2, 890 P.2d 769, 771 n.2 (1995); *Weddell v. Stewart*, 127 Nev. 645, 648 n.1, 261 P.3d 1080, 1082 n.1 (2011).

In the instant action, however, the award of fees and costs arises from unappealable post-judgment orders regarding contempt and enforcement of court orders. *See, e.g., Pengilly*, 116 Nev. at 649, 5 P.3d at 571; *Superpumper, Inc. v. Leonard Tr. for Morabito*, Nos. 79355 & 80214, 2020 WL 1129882 (Nev. Mar. 6, 2020) (Order Dismissing Appeal and Regarding Motions) (concluding that the court lacked jurisdiction over an appeal from post-judgment orders relating to the mere enforcement of a prior judgment). The award does not affect any rights and liability arising from the 2020 final judgment. Accordingly, it is not appealable as a special order after final judgment. *See, e.g., Detwiler v. Baker Boyer Nat'l Bank*, No. 81017, 2020 WL 2214148 (Nev. May 5, 2020) (Order Dismissing Appeal) (concluding that a district court order awarding sanctions after finding appellant in contempt during enforcement proceedings on a domesticated judgment was not a special order after final judgment); *Crystal v. Defilippis*, No. 78980, 2020 WL 5634165 (Nev. Sept. 18, 2020) (Order Dismissing Appeal) (dismissing an appeal from an order denying a motion for attorney fees where the denial did not affect the judgment rights or liabilities of the parties); *see also United Farm Workers Nat'l Union v. Heggblade-*

Marguleas-Tenneco, Inc., 21 Ariz. App. 514, 516, 520 P.2d 1191, 1193 (1974) (concluding that an “appeal solely from the award of attorney’s fees would necessarily involve an examination of the identical issues which would be raised on an appeal from the finding of contempt itself, and if those issues may not be reviewed by a direct appeal, they may not be collaterally reviewed by appealing from an incidental aspect of the contempt judgment”).

Appellant fails to demonstrate that the order challenged in this appeal is authorized by statute or court rule. 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”); *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, it appears we lack jurisdiction and we

ORDER this appeal DISMISSED.¹

Pickering, J.
Pickering

Cadish, J.
Cadish

Lee, J.
Lee

¹Appellant’s alternative request that this court treat the appeal as a petition for extraordinary writ relief is denied, as is respondent’s request for sanctions against appellant. Given the dismissal for lack of jurisdiction, respondent’s motion to dismiss this appeal pursuant to the fugitive disentitlement doctrine is denied as moot.

cc: Hon. Dedree Butler, District Judge, Family Division
Ara H. Shirinian, Settlement Judge
Patricia A. Marr, Ltd.
The Jimmerson Law Firm, P.C
Eighth District Court Clerk