

IN THE SUPREME COURT OF THE STATE OF NEVADA

ORIN G. GROSSMAN, ESQ.,
Appellant,

No. 40564

vs.

AJMAL KHERA AND FARZANA
KHERA, INDIVIDUALLY AND AS
HUSBAND AND WIFE; ISHTIAQ
KHERA; ROBERT CHESTER
BERNARD, INDIVIDUALLY AND AS
AN EMPLOYEE OF COVENANT
TRANSPORT, INC., A NEVADA
CORPORATION; AND COVENANT
TRANSPORT, INC., A NEVADA
CORPORATION,

Respondents.

FILED

APR 22 2003

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a decision and order from the district court directing attorney Orin G. Grossman to “turn over records, property and/or files, of his former client.” Respondents Ajmal Khera, Farzana Khera and Ishtiaq Khera (“the Khera respondents”) have moved to dismiss the appeal. The Khera respondents specifically assert that “Mr. Grossman does not have standing to bring this appeal” because he was not a party to the underlying action. We agree.


Under NRAP 3A(a), this court has consistently held that only an aggrieved party may appeal from an adverse decision.¹ Further, this court has specifically determined that an attorney who is not a party to his client’s case has no standing to appeal.²


¹See Valley Bank of Nevada v. Ginsburg, 110 Nev. 440, 874 P.2d 729(1994).


²See Albert D. Massi, Ltd. v. Bellmyre, 111 Nev. 1520, 908 P.2d 705 (1995); Albany v. Arcata Associate, 106 Nev. 688, 799 P.2d 566 (1990).

To qualify as a party, an entity must have been named and served in the district court proceedings.³ Mr. Grossman was not named or served as a party in the underlying district court action and therefore has no standing to bring this appeal. Mr. Grossman's proper recourse is through a petition for extraordinary writ.⁴ Accordingly, we grant the Khera respondents' unopposed motion and dismiss this appeal.

It is so ORDERED.


_____, J.
Rose


_____, J.
Maupin


_____, J.
Gibbons

cc: Hon. Jackie Glass, District Judge
Orin G. Grossman
Alverson Taylor Mortensen Nelson & Sanders
Habbas, Amendola & Nasser
Lewis & Shreve, LLP
Clark County Clerk

³Rae v. All American Life & Cas. Co., 95 Nev. 920, 922, 605 P.2d 196, 197 (1979).

⁴Albert D. Massi, Ltd. v. Bellmyre, 111 Nev. 1520, 908 P.2d 705 (1995).