


IN THE SUPREME COURT OF THE STATE OF NEVADA

KATHY STEELE,
Appellant,
vs.
JOHANNA SHOOP-KOCH, M.D.,
Respondent.

No. 41062

FILED


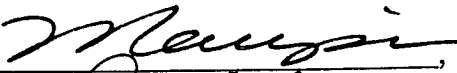

MAR 31 2003

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This proper person appeal is taken from an order of the district court imposing sanctions and denying appellant's motion for an order to show cause for contempt. Our review of the documents transmitted under NRAP 3(e) reveals a jurisdictional defect. In particular, an order denying a motion for an order to show cause why a party should not be held in contempt is not substantively appealable. No statute or rule authorizes such an appeal.¹ Accordingly, as we lack jurisdiction, we

ORDER this appeal DISMISSED.²


_____, J.
Rose

_____, J.
Maupin

_____, J.
Gibbons

¹See Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984) (noting that an appeal must be authorized by statute or rule); Pengilly v. Rancho Santa Fe Homeowners, 116 Nev. 646, 5 P.3d 569 (2000) (concluding that no appeal lies from a contempt order); Gumm v. Mainor, 118 Nev. ___, 59 P.3d 1220 (2002) (holding that a special order after final judgment under NRAP 3A(b)(2) must affect the rights of a party flowing from the final judgment).

²In response to this court's directive to pay the filing fee, appellant submitted a March 20, 2003 letter in which she requests that the filing fee be waived. Under NRAP 24(a), a party seeking to proceed on appeal in forma pauperis must first file in the district court a motion for leave to so proceed. Additionally, the party must include a detailed affidavit showing an inability to pay fees and costs. Here, appellant did not comply with NRAP 24(a), and her failure to pay the supreme court filing fee could constitute an independent basis on which to dismiss this appeal.

cc: Hon. Peter I. Breen, District Judge
Kathy Steele
Silverman & Decaria
Washoe District Court Clerk