

IN THE SUPREME COURT OF THE STATE OF NEVADA

ESTATE OF ROBERT L. SCAGNELLI,
DECEASED, BY AND THROUGH
LOUIS M. SCAGNELLI, EXECUTOR,
AND LOUIS M. SCAGNELLI,
INDIVIDUALLY,

Appellants,

vs.

GRAND COURT LIFESTYLES, INC.,
AND DORI ANN SCAGNELLI,
Respondents.

No. 41393

FILED

SEP 17 2003

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

ORDER GRANTING MOTION TO DISMISS APPEAL

This is an appeal from a district court order granting a motion to enforce a settlement agreement. Respondent Grand Court Lifestyles, Inc. moved to dismiss this appeal on May 19, 2003. Respondent Dori Ann Scagnelli filed joinder in Grand Court's motion to dismiss on May 29, 2003. Appellants never responded to the motion to dismiss.

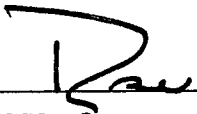
Respondents are correct that the judgment or order designated in the notice of appeal is not substantively appealable.¹ This court has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule.² An order granting a motion to enforce a settlement agreement is not a final judgment within the meaning of NRAP 3A(b)(1),

¹See NRAP 3A(b).

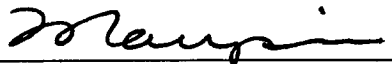
²Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984).

and no other statute or rule authorizes an appeal from such an order.³
Accordingly, we grant respondents' motion and dismiss this appeal.

It is so ORDERED.


_____, J.
Rose


_____, J.
Leavitt


_____, J.
Maupin

cc: Hon. Valorie Vega, District Judge
William F. Buchanan, Settlement Judge
Richard R. Reed
Mandelbaum Gentile
Parker Nelson & Arin, Chtd.
Clark County Clerk

³See Valley Bank of Nevada v. Ginsburg, 110 Nev. 440, 874 P.2d 729 (1994) (indicating that pre-dismissal order approving a proposed settlement is not a final judgment for appeal purposes because matters remain for consideration by the district court); cf. Resnick v. Valente, 97 Nev. 615, 637 P.2d 1205 (1981) (allowing an appeal from an order granting a motion to enforce an oral settlement and from the judgment entered pursuant to that motion).