

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHEL LELLOUCHE,
Appellant,
vs.
MICHELE PAM LELLOUCHE,
Respondent.

No. 41477

FILED

JUN 24 2003

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

ORDER DISMISSING APPEAL

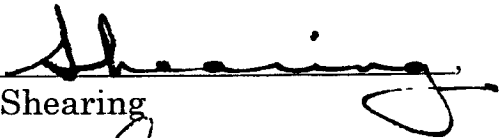
This is a proper person appeal from an order of the district court. In his notice of appeal, appellant states "this appeal is specifically related to the Notice of Entry of Order, filed 5/12/03, which found Defendant in contempt of court, and ordered him to pay Plaintiff's attorney fees."


According to the documents transmitted to this court under NRAP 3(e), the district court entered an order on May 7, 2003, for which notice of entry was filed and served on May 13, 2003. In its May 7 order, the district court denied appellant's motion for reconsideration, ordered appellant to pay attorney fees awarded in a prior written order, referred the parties to mediation so that they could attempt to formulate a new parenting plan, directed the parties to comply with its previous orders concerning payment obligations, and awarded respondent \$1,000 in attorney fees for having to defend appellant's motion for reconsideration, which the court found lacking in merit. Nowhere does the order mention contempt.

Our review of this order reveals that it is not substantively appealable. First, an order denying reconsideration is not appealable as a

special order after final judgment under NRAP 3A(b)(2).¹ Additionally, an award of attorney fees as a sanction for filing a meritless motion is not appealable under NRAP 3A(b)(2). To qualify as an appealable special order after final judgment, the order must affect the rights of a party flowing from the final judgment.² The district court's order awarding \$1,000 in attorney fees as a sanction does not appear to affect any rights previously settled by the district court. Finally, that portion of the order directing payment of previously awarded attorney fees does not constitute a special order after final judgment because the May 7 order did not change the parties' rights with respect to those fees.³ Consequently, we conclude that we lack jurisdiction over this appeal, and we dismiss it.

It is so ORDERED.

 J.
Shearing

 J.
Leavitt

 J.
Becker

¹See Alvis v. State, Gaming Control Bd., 99 Nev. 184, 660 P.2d 980 (1983).

²Gumm v. Mainor, 118 Nev. ___, 59 P.3d 1220 (2002) (citing NRAP 3A(b)(2)).

³Id.

cc: Hon. Robert E. Gaston, District Judge, Family Court Division
Michel P. Lellouche
Law Offices of Patricia L. Vaccarino
Clark County Clerk