

IN THE SUPREME COURT OF THE STATE OF NEVADA

DONNA WOODY,
Appellant,
vs.
FREDERICK WOODY,
Respondent.

No. 41943

FILED

OCT 28 2003

ORDER DISMISSING APPEAL

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


This proper person appeal is taken from a district court order denying appellant's motion to discover respondent's income. Our review of the documents transmitted under NRAP 3(e) reveals a jurisdictional defect. First, an appeal may be taken only when authorized by statute or court rule.¹ We are unaware of any statute or rule authorizing an appeal from an order denying a motion to discover income. And, although the order could potentially be construed as a special order after final judgment under our decision in Burton v. Burton,² if brought in the context of a motion to increase or decrease child support based upon changed circumstances, the motion was not filed in this context. The district court's order explains that the court previously ruled on this precise issue in its September 23, 2002 order setting appellant's child support obligation and its November 15, 2002 order denying reconsideration. As appellant did not appeal from the district court's September 23, 2002 order setting her child support obligation, and she asserted no changed circumstances

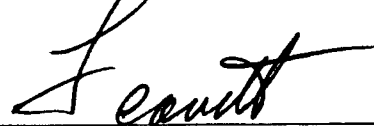
¹Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984).

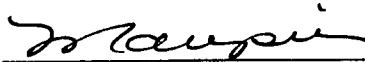
²99 Nev. 698, 669 P.2d 703 (1983); see NRAP 3A(b)(2)(authorizing appeals from special orders after final judgment).

in bringing her most recent motion, she cannot appeal from the district court's order, which did not alter in any way the parties' previously established child support payments.

It is so ORDERED.


_____, J.
Rose


_____, J.
Leavitt


_____, J.
Maupin

cc: Hon. Deborah Schumacher, District Judge, Family Court Division
Donna Woody
Law Offices of Sharon McDonald
Washoe District Court Clerk