

IN THE SUPREME COURT OF THE STATE OF NEVADA

DYARELL D. HUNT,
Appellant,
vs.
THE STATE OF NEVADA
DEPARTMENT OF HUMAN
RESOURCES, WELFARE DIVISION,
Respondent.

No. 42036

FILED

JAN 06 2005

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

ORDER DISMISSING APPEAL


This is a proper person appeal from a district court order adopting a master's recommendation concerning child support arrears and an order granting a writ of garnishment to issue against appellant's savings account for the arrears. Eighth Judicial District Court, Family Court Division, Clark County; Steven E. Jones, Judge.

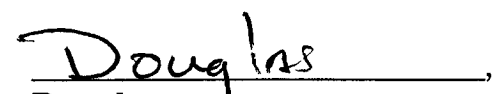
Our review of the documents before us reveals jurisdictional defects. Specifically, the orders appealed from are not substantively appealable. This court has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule.¹ No statute or court rule authorizes an appeal from an order granting a writ of garnishment. Moreover, to the extent that appellant is appealing from the July 24, 2003 order regarding child support arrears, this order is not substantively appealable because the district court merely affirmed and adopted the master's recommendation that determined the amount of arrears and structured a payment for the purpose of enforcing the child support

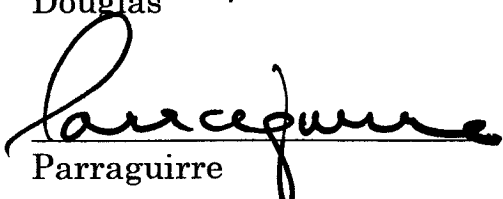
¹See Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984).

obligation under the 1989 order.² Both orders merely enforce the court's prior order awarding child support and therefore do not constitute special orders after final judgment, as they do not revise the rights or liabilities of any party.³ Accordingly, as we lack jurisdiction, we

ORDER this appeal DISMISSED.⁴


Maupin J.


Douglas J.


Parraguirre J.

²See NRS 125B.140 (providing that the district court has the authority to enforce orders for support); Khaldy v. Khaldy, 111 Nev. 374, 377, 892 P.2d 584, 586 (1995) (providing that once payments for child support have accrued they become vested rights and cannot be modified or voided).

³Gumm v. Mainor, 118 Nev. 912, 59 P.3d 1220 (2002) (clarifying that a special order made after final judgment must affect the rights of some party to the action, growing out of the previous judgment).

⁴Although appellant was not granted leave to file papers in proper person, see NRAP 46(b), we have considered the proper person documents received from him. On September 19, 2003, this court received a letter from appellant with an attached order from the district court granting appellant in forma pauperis status. Accordingly, no filing fee is due.

cc: Hon. Steven E. Jones, District Judge, Family Court Division
Clark County District Attorney David J. Roger,
Family Support Division
Dyarell D. Hunt
Clark County Clerk