

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHARLES A. HILL, INDIVIDUALLY,
Appellant,
vs.
HAROLD D. GUERIN, THOMAS M.
GUERIN, AND TERAN ANN DAVIS,
Respondents.

No. 33741

FILED

JUN 25 2002

JANETTE M. BLOOM
CLERK OF SUPREME COURT

BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from an amended divorce decree. Our preliminary review of the docketing statement and the briefs revealed two potential jurisdictional defects. Specifically, it was unclear whether the January 6, 1999 order, the second amended divorce decree, was a final judgment, because appellant asserted that it did not dispose of the third party claim brought against him by respondents for conversion and conspiracy.¹ Moreover, it did not appear that appellant was an "aggrieved party" with standing to appeal from the January order.² Accordingly, we ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. Moreover, we cautioned appellant that failure to demonstrate jurisdiction could result in dismissal.

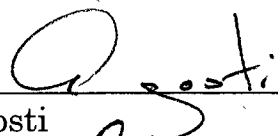
¹NRAP 3A(b)(1) (providing that an appeal may be taken from a final judgment in an action or proceeding); see also KDI Sylvan Pools v. Workman, 107 Nev. 340, 342-43, 810 P.2d 1217, 1219 (1991) (recognizing that an order is not final and appealable when it does not formally resolve a pending claim or counterclaim).

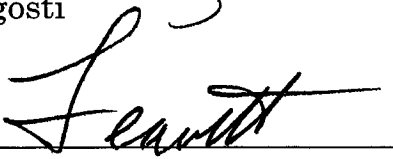
²See NRAP 3A(a) (providing that only an aggrieved party may appeal from an order).

On June 3, 2002, we received and filed a letter from appellant's counsel. The letter states that appellant has been informed of our order to show cause and has directed his counsel not to respond on his behalf with the understanding that the appeal would be dismissed. We elect to treat appellant's letter as a concession that this court lacks jurisdiction over this appeal. Accordingly, we

ORDER this appeal DISMISSED.


_____, J.
Young


_____, J.
Agosti


_____, J.
Leavitt

cc: Hon. William O. Voy, District Judge, Family Court Division
Nancy L. Alf, Settlement Judge
Jack G. Perry
Law Office of Daniel Marks
Clark County Clerk