IN THE SUPREME COURT OF THE STATE OF NEVADA

KATHERIN SHERRY, Appellant, vs. TIMOTHY SHERRY, Respondent.

APR 2 0 2018

No. 74460

ORDER DISMISSING APPEAL

This is an appeal from a district court order regarding property and asset distribution, and awarding alimony and child support. Second Judicial District Court, Family Court Division, Washoe County; Frances Doherty, Judge.

When our initial review of the docketing statement and documents before this court revealed a potential jurisdictional defect, we ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. Specifically, it appeared that the challenged order was not appealable as a final judgment under NRAP 3A(b)(1) because, as no decree of divorce had been entered, appellant's claim for divorce remained pending in the district court. *See Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000) (defining a final judgment as "one that disposes of all the issues presented in the case, and leaves nothing for the future consideration of the court, except for post-judgment issues such as attorney's fees and costs").

In response to our order, appellant's counsel fails to demonstrate that a final judgment has been entered in the proceedings below. Counsel indicates that he has "some doubt" in regard to whether the

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challenged order is appealable, and that the notice of appeal was filed "out of an abundance of caution."

As no other statute or court rule appears to allow an appeal from the order challenged in this appeal, *see Brown v. MHC Stagecoach*, 129 Nev. 343, 345, 301 P.3d 850, 851 (2013) ("We may only consider appeals authorized by statute or court rule."), we conclude that we lack jurisdiction, and we

ORDER this appeal DISMISSED.

<u>Fickering</u>, J. Pickering J. Gibbons Hardestv

cc: Hon. Frances Doherty, District Judge, Family Court Division David Wasick, Settlement Judge Woodburn & Wedge Kathleen T. Breckenridge Washoe District Court Clerk

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