

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN B. CRYSTAL, INDIVIDUALLY
AND AS TRUSTEE OF THE BARBARA
L. CRYSTAL DECEDENT TRUST;
AUTOMATED CASH SYSTEMS; AND
AUTOMATED CASHLESS SYSTEMS,
Appellants,
vs.
STEVE M. DEFILIPPIS; AND PICONE
& DEFILIPPIS, A.P.L.C.,
Respondents.

No. 78980

FILED

SEP 18 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

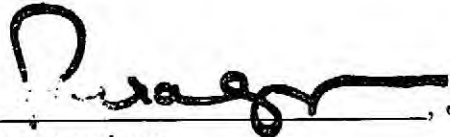
ORDER DISMISSING APPEAL


This is an appeal from a district court order denying a motion for attorney fees pursuant to NRS 7.085. Second Judicial District Court, Washoe County; Connie J. Steinheimer, Judge.

Our review of the case reveals a jurisdictional defect, as no statute or court rule authorizes an appeal from the district court's order. See NRAP 3A(b); *Brown v. MHC Stagecoach, LLC*, 129 Nev. 343, 345, 301 P.3d 850, 851 (2013) (explaining that this court "may only consider appeals authorized by statute or court rule"). Generally, a district court order awarding attorney fees is appealable as "[a] special order entered after final judgment." NRAP 3A(b)(8); see also *Smith v. Crown Fin. Servs. of Am.*, 111 Nev. 277, 280 n.2, 890 P.2d 769, 771 n.2 (1995). However, the district court order at issue here does not affect the judgment rights or liabilities of the parties to the underlying action; it denies a request to make respondents, counsel for the defendants in the underlying action, jointly and severally liable for an attorney fees award. See *Gumm v. Mainor*, 118 Nev. 912, 920, 59 P.3d 1220, 1225 (2002) ("A special order made after final judgment, to be appealable under NRAP 3A(b)[(8)], must be an order affecting the rights of

some party to the action, growing out of the judgment previously entered.”). Therefore, it does not qualify as a special order after final judgment appealable under NRAP 3A(b)(8) and appellants claim no other basis for our jurisdiction. Accordingly, this court lacks jurisdiction and we

ORDER this appeal DISMISSED.


_____, J.
Parraguirre


_____, J.
Hardesty


_____, J.
Cadish

cc: Hon. Connie J. Steinheimer, District Judge
David Wasick, Settlement Judge
Woodburn & Wedge
Robison, Sharp, Sullivan & Brust
Washoe District Court Clerk