

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE KENT AND
JANE WHIPPLE TRUST, DATED
MARCH 17, 1969, JANE WHIPPLE, CO-
TRUSTEE (ERRONEOUSLY NAMED
AS TRUSTEE), AND AMENDMENTS
THERE TO, JANE WHIPPLE.

No. 81972

JANE WHIPPLE, CO-TRUSTEE OF
THE KENT AND JANE WHIPPLE
TRUST, DATED MARCH 17, 1969, AS
AMENDED; AND JANE WHIPPLE,

Appellants,

vs.

WARNER WHIPPLE CO-TRUSTEE OF
THE KENT AND JANE WHIPPLE
TRUST, DATED MARCH 17, 1969, AS
AMENDED,

Respondent.

FILED

APR 18 2022

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

ORDER DISMISSING APPEAL

This is an appeal from an order denying a motion for summary judgment. Seventh Judicial District Court, Lincoln County; Steve L. Dobrescu, Judge.

Because a district court's order denying summary judgment is an interlocutory decision and is not independently appealable, this court directed appellant to show cause why the appeal should not be dismissed for lack of jurisdiction. *GES, Inc. v. Corbitt*, 117 Nev. 265, 268, 21 P.3d 11, 13 (2001). Appellant has responded and argues that the order is appealable as an order denying an injunction pursuant to NRAP 3A(b)(3) because it denies relief similar to denying injunctive relief. The district court denied

the motion for summary judgment on the ground that it lacked jurisdiction to proceed while an arbitration is pending. This is not the equivalent of denying an injunction. Moreover, to the extent the order could be read to compel arbitration, an order compelling arbitration is not an appealable order. *Kindred v. Dist. Ct.*, 116 Nev. 405, 996 P.2d 903 (2000).

This court lacks jurisdiction, and
ORDERS this appeal DISMISSED.

Silver, J.
Silver

Cadish, J.
Cadish

Pickering, J.
Pickering

cc: Hon. Steve L. Dobrescu, District Judge
Carolyn Worrell, Settlement Judge
Justice Law Center
Bingham Snow & Caldwell
J. Douglas Clark, Attorney at Law, Ltd.
Lincoln County Clerk