

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

IN THE MATTER OF THE ESTATE OF
DENNIS W. GAY, DECEASED.

No. 82655-COA

FILED

NOV 22 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

DONALD KEITH MECHAM; AND
CYNTHIA RAE MECHAM,
Appellants,
vs.
STEVEN DICKERT, EXECUTOR,
Respondent.

ORDER DISMISSING APPEAL

Donald Keith Mecham and Cynthia Rae Mecham appeal from a district court order denying a petition to compel an accounting of the estate at issue and granting a petition to approve a first accounting in the instant probate proceeding. Eighth Judicial District Court, Clark County; Gloria Sturman, Judge.

This court has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule. *See Taylor Constr. Co. v. Hilton Hotels Corp.*, 100 Nev. 207, 209, 678 P.2d 1152, 1153 (1984). Neither NRAP 3A(b) (providing list of generally appealable orders) nor NRS 155.190 (providing list of orders that are appealable in a probate matter) authorize an appeal from an order approving a first accounting and finding the petition to compel an accounting therefore moot.

Moreover, only an aggrieved party may appeal. NRAP 3A(a). Generally, a party is a person who has been named as a party to the lawsuit and who has been served with process or appeared. *Valley Bank of Nev. v. Ginsburg*, 110 Nev. 440, 447, 874 P.2d 729, 734 (1994). Appellants were not named as parties in the proceedings below. And while any "interested

person” may participate in probate actions, “interested person” is defined as someone “whose right or interest under an estate or trust may be materially affected by a decision of a fiduciary or a decision of the court. The fiduciary or court shall determine who is an interested person according to the particular purposes of, and matter involved in, a proceeding.” NRS 132.185; *see also* NRS 132.390.

Here, the district court properly determined that appellants are not interested persons for the purpose of approving the first accounting and that appellants are not foreclosed from asserting any rights or interests in further proceedings below.

Accordingly, we lack jurisdiction and
ORDER this appeal DISMISSED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Gloria Sturman, District Judge
Carolyn Worrell, Settlement Judge
VC2 Law
Shumway Van
Garman Turner Gordon
Eighth District Court Clerk