

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT WILLIAM REYNOLDS,
Appellant,
vs.
SUSAN VICTORIA REYNOLDS,
Respondent.

No. 86091

FILED

MAY 30 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a post-divorce decree district court order affirming and adopting the discovery commissioner's report and recommendations, compelling appellant to respond to interrogatories and requests for production of documents. Eighth Judicial District Court, Family Court Division, Clark County; T. Arthur Ritchie, Jr., Judge.

When our review of the documents before this court revealed a potential jurisdictional defect, this court entered an order directing appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. Specifically, it appeared that there was no statute or court rule authorizing this court to review the challenged order compelling discovery. *See Brown v. MHC Stagecoach*, 129 Nev. 343, 345, 301 P.3d 850, 851 (2013). In response to the order to show cause, appellant argues that this court has jurisdiction to consider his appeal under NRAP 3A(b)(8). He contends that the discovery order is a special order entered after final judgment because it stems from respondent's efforts to collect on a money judgment ordered as part of the divorce decree. Respondent did not file a reply.

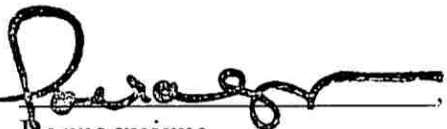
We conclude that the order challenged in this matter is not appealable. NRAP 3A(b)(8) allows an appeal to be taken from a "special order entered after final judgment." To be appealable as a special order after final judgment, the order must affect "the rights of some party to the

action, growing out of the judgment previously entered.” *Gumm v. Mainor*, 118 Nev. 912, 920, 59 P.3d 1220, 1225 (2002). Here, the district court’s order merely mandates that appellant participate in discovery so that respondent may identify what assets are available to enforce the property equalization previously awarded to her. The order does not alter respondent’s right to the award set forth in the divorce decree or otherwise revise any rights or liabilities of the parties. See *Yount v. Criswell Radovan, LLC*, 136 Nev. 409, 414 n.3, 469 P.3d 167, 171 n.3 (2002) (post-judgment order addressing discovery is not an appealable special order). Therefore, having concluded that we lack jurisdiction, we

ORDER this appeal DISMISSED.


_____, J.
Herndon


_____, J.
Lee


_____, J.
Farraguirre

cc: Hon. T. Arthur Ritchie, Jr., District Judge, Family Court Division
Law Offices of F. Peter James, Esq.
Hamilton Law
Eighth District Court Clerk