

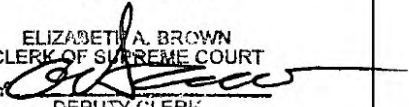
IN THE SUPREME COURT OF THE STATE OF NEVADA

HONORABLE SAMUEL L. BEIRS,  
Appellant,  
vs.  
JOSEPH HOLLEY; ALFREDA  
WALKER; TANYA REYNOLDS; ALICE  
TYBO; DUANE GARCIA, SR.; DAVIS  
GONZALES; JEFFREY SCOTT  
SYPOLT; WENDALL HAYES; DAVID  
CARRERA; ANGELEA MENDEZ;  
THALIA MARIN; SUZANNA  
SANDOVAL; ANDREA WOODS; LARRY  
YEAGER; SCS ELKO, LLC; DARIAN  
STANFORD; KRISTEN HEVENER;  
MARLA MCDADE-WILLIAMS; A.G.  
AARON D. FORD; GOV. STEVE  
SISOLAK; THE STATE OF NEVADA;  
AND RUBEN RAMIREZ,  
Respondents.

No. 87669

FILED

DEC 12 2023

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DISMISSING APPEAL*

This is a pro se appeal from a district court order granting motions to dismiss and from a district court order denying a motion to set aside the order granting the motions to dismiss. Fourth Judicial District Court, Elko County; Kriston N. Hill, Judge. Review of the notice of appeal and documents before this court reveals a jurisdictional defect. It does not appear that either of the challenged orders is substantively appealable.

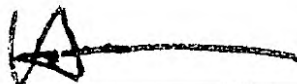
First, the order granting motions to dismiss is not appealable as a final judgment under NRAP 3(A)(b)(1). “[A] final judgment is one that disposes of all the issues presented in the case, and leaves nothing for the future consideration of the court, except for post-judgment issues such as attorney’s fees and costs.” *Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d

416, 417 (2000). It appears, and appellant concedes in his docketing statement, that claims remain pending in the district court against at least one defendant who was served with process.

Second, the order denying the motion to set aside the order granting the motions to dismiss is not appealable as a special order after final judgment under NRAP 3A(b)(8). Appellant's motion to set aside appears to have sought relief under NRCP 60(b). While an order denying a post-judgment motion for relief under NRCP 60(b) is generally appealable as a special order after final judgment, there can be no special order after final judgment in the absence of a final judgment. As discussed above, no final judgment has been entered in this matter. Accordingly, the order denying the motion to set aside the order granting the motions to dismiss is not appealable as a special order after final judgment.

No other statute or court rule appears to allow an appeal from either of the challenged orders. *Brown v. MHC Stagecoach, LLC*, 129 Nev. 343, 345, 301 P.3d 850, 851 (2013) (this court "may only consider appeals authorized by statute or court rule"). Therefore, it appears this court lacks jurisdiction and

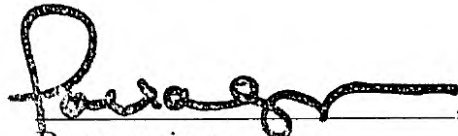
ORDERS this appeal DISMISSED.<sup>1</sup>



\_\_\_\_\_, J.  
Herndon



\_\_\_\_\_, J.  
Lee



\_\_\_\_\_, J.  
Parraguirre

<sup>1</sup>Appellant may file a new notice of appeal once the district court enters a final judgment.

cc: Hon. Kriston N. Hill, District Judge  
Samuel L. Beirs  
Darian Stanford  
Attorney General/Carson City  
John W. Muije & Associates  
Ruben Ramirez  
SCS Elko, LLC  
Suzanna Sandoval  
Elko County Clerk