

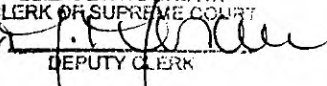
IN THE SUPREME COURT OF THE STATE OF NEVADA

ROYAL ESSEX, LLC, A NEVADA
LIMITED LIABILITY COMPANY;
ROYAL UNION PROPERTIES, LLC, A
NEVADA LIMITED LIABILITY
COMPANY; VINCENT HESSER, AN
INDIVIDUAL; AND DAVID WEEKS, AN
INDIVIDUAL,
Appellants,
vs.
MARTHA JANE HOLMAN IN HER
CAPACITY AS THE TRUSTEE OF THE
GFH IRREVOCABLE TRUST; AND
GEORGE F. HOLMAN IN HIS
CAPACITY AS THE TRUSTEE OF THE
MJH IRREVOCABLE TRUST,
Respondents.

No. 87322

FILED

MAR 22 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: 
DEPUTY CLERK

ORDER GRANTING MOTION TO DISMISS APPEAL

This is an appeal from a district court's findings of fact, conclusions of law, and order on the court's order to show cause. Eighth Judicial District Court, Clark County; Mark R. Denton, Judge. Respondents have filed a renewed motion to dismiss the appeal for lack of jurisdiction. Appellants oppose the motion, and respondents have filed a reply.

This court has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule. *Taylor Constr. Co. v. Hilton Hotels Corp.*, 100 Nev. 207, 678 P.2d 1152 (1984). "[T]he burden rests squarely upon the shoulders of a party seeking to invoke our jurisdiction to establish, to our satisfaction, that this court does in fact have jurisdiction." *Moran v. Bonneville Square Assocs.*, 117 Nev. 525, 527, 25 P.3d 898, 899 (2001). Appellants initially contended that the district court's order was

appealable under NRAP 3A(b)(3) because it constituted both mandatory and prohibitory injunctive relief. However, NRAP 3A(b)(3) is not applicable because an injunction was neither sought nor awarded, a point which appellants appear to concede in their opposition to the renewed motion to dismiss appeal. Instead, appellants argue, without support, that this court has jurisdiction because the challenged order substantively amended the district court's prior partial summary judgment order, which was certified as final under NRCP 54(b) and appealed in Docket No. 85359. However, even if that was the case, this court still lacks jurisdiction because the challenged order is not a final judgment, and appellants point to no other statute or court rules that would establish jurisdiction. Therefore, the motion to dismiss is granted, and this appeal is dismissed.

Additionally, in their opposition to the motion to dismiss the appeal, appellants request the consolidation of this appeal with the closed appeal in Docket No. 85359 and reconsideration of the court's prior decision in that appeal. These requests are denied.

It is so ORDERED.

Stiglich, J.
Stiglich

Pickering, J.
Pickering

Parraguirre, J.
Parraguirre

cc: Hon. Mark R. Denton, District Judge
Jay Young, Settlement Judge
Law Offices of Byron Thomas
Lewis Brisbois Bisgaard & Smith, LLP/Las Vegas
Greenberg Traurig, LLP/Las Vegas
Eighth District Court Clerk