

IN THE SUPREME COURT OF THE STATE OF NEVADA

SHARATH CHANDRA,
ADMINISTRATOR, NEVADA REAL
ESTATE DIVISION,

Appellant,

vs.


MELANI SCHULTE; AND WILLIAM R.
SCHULTE,

Respondents.

No. 75477

FILED

NOV 30 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DISMISSING APPEAL IN PART

This is an appeal from a May 18, 2017, district court order directing the entry of judgments against respondent William Schulte, nine judgments against William Schulte, and nine district court orders directing appellant to make payments out of the Real Estate Education, Research and Recovery Fund (Fund). Eighth Judicial District Court, Family Court Division, Clark County; Cheryl B. Moss, Judge.

When our review of the docketing statement and documents before this court revealed potential jurisdictional defects, we ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. Specifically, it was not clear whether the challenged orders and judgments were substantively appealable or whether appellant was a party to the underlying case such that he had standing to prosecute an

appeal. It also appeared that appellant was not aggrieved by the monetary judgments.

Having considered appellant's response, we conclude that the orders directing appellant to make payments from the Fund are substantively appealable as final judgments in the proceedings to recover from the Fund and appellant has standing to prosecute an appeal from those orders. See NRAP 3A(b)(1); *cf. Rawson v. Ninth Judicial Dist. Court*, 133 Nev., Adv. Op. 44, 396 P.3d 842 (2017); *Frank Settlemeyer & Sons, Inc. v. Smith & Harmer, Ltd.*, 124 Nev. 1206, 197 P.3d 1051 (2008). Accordingly, the appeal from the orders directing payment from the Fund may proceed.

We also conclude, however, that appellant is not aggrieved by the May 18, 2017, order, or the judgments against William Schulte because the order and judgments do not affect any rights of appellant. See *Valley Bank of Nev. v. Ginsburg*, 110 Nev. 440, 446, 874 P.2d 729, 734 (1994) (defining an aggrieved party as one whose personal or property rights are substantially and adversely affected by a ruling of the district court). Therefore, we conclude that appellant lacks standing to appeal from these orders, see NRAP 3A(a); *Valley Bank*, 110 Nev. at 446, 874 P.2d at 734 (this court only has jurisdiction to consider an appeal where it is brought by an aggrieved party), and we dismiss this appeal from the May 18, 2017, order and the judgments against William Schulte.¹

Briefing of this appeal is reinstated as to the portion of the appeal challenging the orders directing payment from the Fund. Appellant shall have 60 days from the date of this order to file and serve the opening brief and appendix. Thereafter, briefing shall proceed in accordance with

¹Given this order, we do not address the other concerns identified in the order to show cause regarding the appealability of the judgments.

NRAP 31(a)(1). We caution that failure to timely file a brief may result in the imposition of sanctions. NRAP 31(d).

It is so ORDERED.

Cherry, J.
Cherry

Parraguirre, J.
Parraguirre

Stiglich, J.
Stiglich

cc: Hon. Cheryl B. Moss, District Judge, Family Court Division
Attorney General/Carson City
Attorney General/Las Vegas
Law Office of Amberlea Davis
William R. Schulte
Eighth District Court Clerk