


IN THE SUPREME COURT OF THE STATE OF NEVADA

NONA TOBIN, AN INDIVIDUAL,
Appellant,
vs.
BRIAN CHIESI, AN INDIVIDUAL;
DEBORA CHIESI, AN INDIVIDUAL;
AND QUICKEN LOANS INC.,
Respondents.

No. 82234

FILED
JUN 07 2021
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: 
DEPUTY CLERK

ORDER TO SHOW CAUSE

This is an appeal from a district court order awarding attorney fees and costs. Initial review of the docketing statement and documents before this court reveals a potential jurisdictional defect. It appears the challenged order is not substantively appealable.

A post-judgment order awarding attorney fees and costs is generally appealable as a special order after final judgment. *See* NRAP 3A(b)(8). Here, however, it appears that the fee award was entered before the final judgment was entered in the district court. *See Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000) (defining a final judgment). Before entry of the final judgment there can be no special order after final judgment. And it does not appear that any other statute or court rule allows an appeal from the challenged order. *See 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). However, the challenged order may be considered in the context of the appeal from the final judgment. *See Consol. Generator-Nev., Inc. v. Cummins Engine Co.*, 114 Nev. 1304, 1312, 971 P.2d 1251, 1256 (1998).

Accordingly, appellant shall have 30 days from the date of this order to show cause why this appeal should not be dismissed for lack of jurisdiction. Respondents may file any reply within 14 days of service of appellant's response. Failure to demonstrate that this court has jurisdiction may result in the dismissal of this appeal. The deadlines to file documents in this appeal are suspended pending further order of this court.

It is so ORDERED.

1. Sardeshy, C.J.

cc: Thomson Law PC
Maurice Wood