

IN THE SUPREME COURT OF THE STATE OF NEVADA

WESTERN NATIONAL MUTUAL
INSURANCE COMPANY, A
MINNESOTA CORPORATION,

Appellant,

vs.

WILLIAM HARRY RESH, AN
INDIVIDUAL,

Respondent.

No. 82475

FILED

APR 13 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
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 does not appear that a final judgment has been entered in the district court because respondent's claims against Money Machine, LLC, dba Compadres Auto Sales, and Robert Legaspi remain pending in the district court. *See Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000) (defining a final judgment). In the absence of a 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").

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. In responding to this order, in addition to points and authorities, appellant should provide this court with a copy of any file-stamped district court order finally resolving the claims against Money Machine, LLC, dba Compadres Auto Sales, and Robert Legaspi. Respondent 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.

Handwritten Signature, C.J.

cc: The Faux Law Group
Sklar Williams LLP