

IN THE SUPREME COURT OF THE STATE OF NEVADA

OLENA KARPENKO,  
Appellant,  
vs.  
ENRIQUE SCHAERER,  
Respondent.

No. 86536

OLENA KARPENKO,  
Appellant,  
vs.  
ENRIQUE SCHAERER,  
Respondent.

No. 86537

FILED

JUL 25 2023

ORDER TO SHOW CAUSE

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

These appeals challenge a district court order regarding child support and a district court order awarding attorney fees and costs. Initial review of the docketing statement and documents before this court reveals potential jurisdictional defects.

Appellant asserts in the docketing statement that the order regarding child support is a final judgment. “[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). The challenged order establishes child support arrears and sets the amount of temporary child support going forward. This order does not finally resolve the issue of child support and contemplates further consideration by the district court. Therefore, the order does not appear appealable as a final judgment under NRAP 3A(b)(1). *See In re Temporary Custody of Five Minors*, 105 Nev. 441, 443, 777 P.2d 901, 902 (1989) (holding that when an order is temporary, it is not appealable because it is subject to review and modification by the district court).

Further, although an order awarding attorney fees and costs is generally appealable as a special order after final judgment, *see* NRAP 3A(b)(8), in the absence of a final judgment, there can be no special order after final judgment. If the order regarding child support is not a final judgment, the order awarding attorney fees and costs is not appealable as a special order after final judgment.

Accordingly, appellant shall have 30 days from the date of this order to show cause why these appeals should not be dismissed for lack of jurisdiction. In responding to this order, in addition to points and authorities, appellant shall provide this court with a file-stamped copy of any district court order finally establishing the amount of appellant's child support obligation. Failure to demonstrate that this court has jurisdiction may result in the dismissal of these appeals. Respondent may file any reply within 14 days of service of appellant's response.

Briefing of these appeals is suspended pending further order of this court.

It is so ORDERED.

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*Stiglm*, C.J.

cc: Willick Law Group  
Kainen Law Group