

1 David Derringer (Respondent) appeals from the district court’s “Minute Order
2 and Bifurcated Decree of Divorce.” We issued a calendar notice proposing to dismiss
3 the appeal for lack of a final order. Respondent has filed a memorandum in
4 opposition to our calendar notice. Respondent has also filed an emergency motion to
5 dismiss the petition for divorce and the order of protection entered by the district court
6 or, in the alternative, stay the proceedings, order the district judge to recuse herself,
7 and remove the district judge from the bench. We have considered Respondent’s
8 arguments, and we are not persuaded by them. We dismiss the appeal. As we
9 explained in our calendar notice, the decree entered by the district court grants the
10 parties a divorce, but reserves all other issues. The decree is not final for purposes of
11 appeal. The decree does not include an express determination that there is no just
12 reason for delay as required by Rule 1-054(B)(1) NMRA. The decree contains no
13 decretal language indicating that the district court intended for the order to be final
14 and appealable. *See High Ridge Hinkle Joint Venture v. City of Albuquerque*, 119
15 N.M. 29, 37, 888 P.2d 475, 483 (Ct. App. 1994). The decree does not determine all
16 issues of law and fact, or dispose of the case to the fullest extent possible. *Kelly Inn*
17 *No. 102, Inc. v. Kapnison*, 113 N.M. 231, 236, 824 P.2d 1033, 1038 (1992). Because
18 the decree is not a final order and is therefore not appealable, we dismiss
19 Respondent’s appeal. Our appellate jurisdiction is limited to appeals that are timely

1 filed from final decisions, orders, or judgments. *See State v. Lohberger*, 2008-NMSC-
2 033, ¶ 19, 144 N.M. 297, 187 P.3d 162. We have no jurisdiction over this case.
3 Therefore, we need not address Respondent’s emergency motion.

4 For the reasons discussed in this Opinion and in our calendar notice, we dismiss
5 Respondent’s appeal.

6 **IT IS SO ORDERED.**

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RODERICK T. KENNEDY, Judge

9 **WE CONCUR:**

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CELIA FOY CASTILLO, Chief Judge

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LINDA M. VANZI, Judge