

IN THE UTAH COURT OF APPEALS

-----ooOoo-----

Brenda Melchior,)	MEMORANDUM DECISION
)	(Not For Official Publication)
Petitioner and Appellee,)	
)	Case No. 20080328-CA
v.)	
)	F I L E D
Bryan Melchior,)	(May 22, 2008)
)	
Respondent and Appellant.)	2008 UT App 181

Third District, Salt Lake Department, 064903473
The Honorable Anthony B. Quinn

Attorneys: Russell Y. Minas, Salt Lake City, for Appellant
Richard S. Nemelka and Stephen R. Nemelka, Salt Lake
City, for Appellee

Before Judges Billings, Davis, and McHugh.

PER CURIAM:

Bryan Melchior appeals the district court's divorce decree entered on April 3, 2008. This matter is before the court on a motion for summary disposition for lack of jurisdiction due to the absence of a final order.

Generally, "[a]n appeal is improper if it is taken from an order or judgment that is not final." Bradbury v. Valencia, 2000 UT 50, ¶ 9, 5 P.3d 649. For an order or judgment to be final, it must "dispose of all parties or claims to an action." Id. ¶ 10. A district court must determine the amount of attorney fees awardable to a party before the judgment becomes final for the purposes of an appeal. See Promax Dev. Corp. v. Raile, 2000 UT 4, ¶ 15, 998 P.2d 254.

The district court's order expressly stated that it would determine the amount of reasonable attorney fees up to, but not exceeding \$15,000.00, after the matter was submitted to the court for decision. The parties concede that the amount of attorney fees has yet to be resolved. Thus, the divorce decree is not final for purposes of appeal. See id.

Accordingly, this appeal is dismissed without prejudice to the filing of a timely appeal from a final order.

Judith M. Billings, Judge

James Z. Davis, Judge

Carolyn B. McHugh, Judge