

IN THE UTAH COURT OF APPEALS

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Purple Sage Industries, Inc.,)	MEMORANDUM DECISION
)	(Not For Official Publication)
Plaintiff and Appellee,)	
)	Case No. 20090180-CA
v.)	
)	F I L E D
Amal Bernal; Rafael Bernal;)	(July 16, 2009)
and Amalco, LLC,)	
)	2009 UT App 191
Defendants and Appellants.)	

Third District, Salt Lake Department, 020910682
The Honorable L.A. Dever

Attorneys: David O. Black, Salt Lake City, for Appellants
Robert R. Wallace, Salt Lake City, for Appellee

Before Judges Greenwood, Thorne, and Davis.

PER CURIAM:

Amal Bernal, Rafael Bernal, and Amalco LLC appeal the district court's order entered on January 21, 2009. 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. The only exceptions to this requirement are where: (1) an appeal is permitted under the circumstances by statute, (2) the appellate court grants interlocutory appeal under rule 5 of the Utah Rules of Appellate Procedure, or (3) the trial court certifies the order as final under rule 54(b) of the Utah Rules of Civil Procedure. See id. ¶ 12.

The January 21, 2009 order is not a final, appealable order and it does not qualify for any of the exceptions to the final judgment rule. Thus, this court lacks jurisdiction and is required to dismiss the appeal. See id. ¶ 8.

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

Pamela T. Greenwood,
Presiding Judge

William A. Thorne Jr.,
Associate Presiding Judge

James Z. Davis, Judge