

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMAR EVANS,
Appellant,
vs.
THE STATE OF NEVADA EX REL.
GAMING CONTROL BOARD,
Respondent.

No. 44518

FILED

MAR 21 2005

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Pihou*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from a district court order that dismissed appellant's case. Eighth Judicial District Court, Clark County; Ronald D. Parraguirre, Judge.

An appeal may be taken from a final judgment.¹ NRAP 4(a)(1) requires a party to file a notice of appeal no later than thirty days after written notice of an appealable order's entry is served. Here, the district court entered its written order dismissing appellant's complaint on September 27, 2004, and notice of the order's entry was served on September 28, 2004. Appellant filed his notice of appeal on January 7,

¹NRAP 3A(b)(1); see Lee v. GNLV Corp., 116 Nev. 424, 426, 996 P.2d 416, 417 (2000) (stating that a final judgment "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").

2005. As a result, his notice of appeal is untimely, and we lack jurisdiction over this appeal. Accordingly, we

ORDER this appeal DISMISSED.²

Becker _____, C.J.
Becker

Maupin _____ J.
Maupin

Douglas _____ J.
Douglas

cc: Eighth Judicial District Court Dept. 3, District Judge
Attorney General Brian Sandoval/Las Vegas
Jamar Evans
Clark County Clerk

²Although appellant was not granted leave to proceed in proper person, see NRAP 46(b), we have considered the proper person documents received from him. Appellant indicates that he has petitioned the district court for in forma pauperis status but that the district court has not yet responded. Appellant has also submitted a request for in forma pauperis status with this court. As we lack jurisdiction over this appeal, we decline to direct the district court to rule on appellant's in forma pauperis petition. We note, however, that appellant's failure to pay the filing fee could constitute an independent basis on which to dismiss this appeal.